TABLE OF CONTENTS

#FO2326911

Volume I

TABLE OF CONTENTS

#FO2326911

Volume II

EXHIBITS

TABLE OF CONTENTS

#FO2326911

Volume II

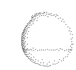


TABLE OF CONTENTS

#FO2326911

Volume II

761551N25A - SH-AD-32A

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
A Tradition of Service

DATE: December 19, 2013
FILE NO:

OFFICE CORRESPONDENCE

FROM: BOBBY D. DENHAM, COMMANDER
NORTH PATROL DIVISION

TO: ALICIA E. AULT, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS:

Case Number:	FO2326911
Incident:	Significant Force
Incident Date:	January 2, 2013
Unit:	Men's Central Jail
Suspect:	Jacob Timothy Lagarde, MH/02-10-85
Involved Employees:	Deputy [redacted] #[redacted] Deputy [redacted] #[redacted] Deputy [redacted] #[redacted] Deputy [redacted] #[redacted] Deputy [redacted] #[redacted] Deputy Mizrain Orrego, #[redacted] Deputy [redacted] #[redacted] Deputy [redacted], #[redacted] Deputy [redacted], #[redacted] Sergeant Brendan Corbett, #[redacted]
EFRC Date:	December 19, 2013

The Executive Force Review Committee (EFRC) consisting of Commanders Bobby Denham, Patrick Maxwell, and Ralph Webb met and reviewed the above case.

FORCE POLICY RELATING TO INCIDENT:

Law enforcement officers are entitled to use the amount of force that is reasonable and necessary to make an arrest, prevent an escape, or overcome resistance.

FINDINGS:

A Men's Central Jail deputy was escorting an inmate to the shower. During the escort, another inmate (Suspect) was standing inside of his cell and threw a modified milk carton filled with a liquid that smelled of urine onto the deputy's face and uniform shirt.

The inmate being escorted was placed into the shower and the escorting deputy retreated off of the row with the assistance of another deputy. The suspect was left inside his cell while the deputy was provided aid and the floor sergeant was notified of the assault against the deputy.

The floor sergeant conferred with his lieutenant and devised a plan to safely approach the suspect and escort him to a discipline cell. The sergeant approached the suspect as he stood in his cell and ordered him to allow handcuffs be placed upon him so he could be escorted to a discipline cell. The suspect refused to be handcuffed and refused to be escorted to a discipline cell. The sergeant retreated off of the row, as the suspect remained inside his cell. The sergeant determined module operations could not be conducted safely if the suspect were allowed to remain inside the cell. The sergeant believed the suspect needed to be escorted to a discipline cell and a calculated cell extraction was the safest way to accomplish this.

At approximately 0910 hours, the sergeant began the cell extraction process. He contacted the Men's Central Jail medical staff, a mental health professional, and a Catholic Chaplain. At approximately 0945 hours, the captain, lieutenant, and the above individuals responded to the module and requested the suspect to comply with the sergeant's orders and exit the cell voluntarily. The suspect refused to cooperate with any of these persons and defiantly remained inside the cell. The captain approved the commencement of the cell extraction.

At 1100 hours, Men's Central Jail was placed on "Lock-Down" status in order to prepare for the extraction of the suspect. At 1130 hours, the "Green" Extraction Team was activated and assembled by their team leader. The team leader (sergeant) held a safety briefing for all personnel involved.

The safety briefing provided an overview of the tactics to be utilized during the extraction and the disciplinary history of the suspect. The suspect was described as an extremely violent inmate and considered dangerous to all jail staff and other inmates. The "Green" Extraction Team was also briefed about a note that was passed from another inmate to suspect. The note attempted to discourage the suspect from committing acts of violence against deputy personnel.

At approximately 1215 hours, the team leader, accompanied by the "Green" Extraction Team, approached the suspect who was inside his cell. The team

leader provided the suspect the opportunity to be handcuffed inside his cell and exit voluntarily. The suspect refused the request and remained inside his cell.

The team leader ordered the commencement of the extraction. During the extraction process, Oleoresin Capsicum spray, a sting ball grenade, and two separate Tasers were deployed at the orders of the team leader. During this process, the suspect attempted to break a deputy's right pinky finger by violently grabbing onto and bending it. After handcuffing and applying a hobble restraint around the ankles of the suspect, members of the "Green" Extraction Team removed the suspect from his cell and secured him into an awaiting "Safety Chair." While being placed into the "Safety Chair," the suspect spat blood upon members of the extraction team. The suspect also bit a deputy on his right wrist through a protective "spit mask." Members of the extraction team also used another Taser and delivered a punch and several elbow strikes upon the suspect as they secured him into the safety chair. Members of the "Green" Extraction Team eventually secured the suspect into the safety chair and he was immediately treated by pre-staged medical staff.

The suspect was eventually transported to and treated at the Los Angeles County Medical Center Jail Ward for a fractured orbital socket and fractured nose. Two deputies were transported to local hospitals and treated for exposure to hazardous body fluids. Both deputies were prescribed medication to counter act and prevent the possible transmission of the Human Antibody Virus (H.I.V.) syndrome. One of the two deputies was also treated for a sprain to his right "pinky" finger.

The EFRC determined the force used against the suspect was within Department policy. The EFRC also determined the tactics used were within Department policy.

RECOMMENDATIONS:

The EFRC recommended the unit commander, Captain Daniel J. Dyer, conduct a tactical debriefing regarding the unique circumstances of this incident. Additionally, the EFRC recommended the Custody Training Unit look into other options to deal with uncooperative inmates, similar to this incident, that do not involve the Safety Chair.

Lastly, the EFRC recommended the Custody Training Unit contact the manufacturer of the Safety Chair to discuss the issue of a brake system to prevent the chair from moving during application.

BDD:JER:jer

761551N25A - SH-AD-32A

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
A Tradition of Service

DATE: December 19, 2013
FILE NO:

OFFICE CORRESPONDENCE

FROM: BOBBY D. DENHAM, COMMANDER
NORTH PATROL DIVISION

TO: DANIEL J. DYER, CAPTAIN
MEN'S CENTRAL JAIL

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS:

Case Number:	FO2326911
Incident:	Significant Force
Incident Date:	January 2, 2013
Unit:	Men's Central Jail
Suspect:	Jacob Timothy Lagarde, MH/02-10-85
Involved Employees:	Deputy [redacted], #[redacted] Deputy [redacted] #[redacted] Deputy [redacted] #[redacted] Deputy [redacted] #[redacted] Deputy [redacted] #[redacted] Deputy Mizrain Orrego, #[redacted] Deputy [redacted] #[redacted] Deputy [redacted] #[redacted] Deputy [redacted] #[redacted] Sergeant Brendan Corbett, #[redacted]
EFRC Date:	December 19, 2013

The Executive Force Review Committee (EFRC) consisting of Commanders Bobby Denham, Patrick Maxwell, and Ralph Webb met and reviewed the above case.

FORCE POLICY RELATING TO INCIDENT:

Law enforcement officers are entitled to use the amount of force that is reasonable and necessary to make an arrest, prevent an escape, or overcome resistance.

FINDINGS:

A Men's Central Jail deputy was escorting an inmate to the shower. During the escort, another inmate (Suspect) was standing inside of his cell and threw a modified milk carton filled with a liquid that smelled of urine onto the deputy's face and uniform shirt.

The inmate being escorted was placed into the shower and the escorting deputy retreated off of the row with the assistance of another deputy. The suspect was left inside his cell while the deputy was provided aid and the floor sergeant was notified of the assault against the deputy.

The floor sergeant conferred with his lieutenant and devised a plan to safely approach the suspect and escort him to a discipline cell. The sergeant approached the suspect as he stood in his cell and ordered him to allow handcuffs be placed upon him so he could be escorted to a discipline cell. The suspect refused to be handcuffed and refused to be escorted to a discipline cell. The sergeant retreated off of the row, as the suspect remained inside his cell. The sergeant determined module operations could not be conducted safely if the suspect were allowed to remain inside the cell. The sergeant believed the suspect needed to be escorted to a discipline cell and a calculated cell extraction was the safest way to accomplish this.

At approximately 0910 hours, the sergeant began the cell extraction process. He contacted the Men's Central Jail medical staff, a mental health professional, and a Catholic Chaplain. At approximately 0945 hours, the captain, lieutenant, and the above individuals responded to the module and requested the suspect to comply with the sergeant's orders and exit the cell voluntarily. The suspect refused to cooperate with any of these persons and defiantly remained inside the cell. The captain approved the commencement of the cell extraction.

At 1100 hours, Men's Central Jail was placed on "Lock-Down" status in order to prepare for the extraction of the suspect. At 1130 hours, the "Green" Extraction Team was activated and assembled by their team leader. The team leader (sergeant) held a safety briefing for all personnel involved.

The safety briefing provided an overview of the tactics to be utilized during the extraction and the disciplinary history of the suspect. The suspect was described as an extremely violent inmate and considered dangerous to all jail staff and other inmates. The "Green" Extraction Team was also briefed about a note that was passed from another inmate to suspect. The note attempted to discourage the suspect from committing acts of violence against deputy personnel.

At approximately 1215 hours, the team leader, accompanied by the "Green" Extraction Team, approached the suspect who was inside his cell. The team

leader provided the suspect the opportunity to be handcuffed inside his cell and exit voluntarily. The suspect refused the request and remained inside his cell.

The team leader ordered the commencement of the extraction. During the extraction process, Oleoresin Capsicum spray, a sting ball grenade, and two separate Tasers were deployed at the orders of the team leader. During this process, the suspect attempted to break a deputy's right pinky finger by violently grabbing onto and bending it. After handcuffing and applying a hobble restraint around the ankles of the suspect, members of the "Green" Extraction Team removed the suspect from his cell and secured him into an awaiting "Safety Chair." While being placed into the "Safety Chair," the suspect spat blood upon members of the extraction team. The suspect also bit a deputy on his right wrist through a protective "spit mask." Members of the extraction team also used another Taser and delivered a punch and several elbow strikes upon the suspect as they secured him into the safety chair. Members of the "Green" Extraction Team eventually secured the suspect into the safety chair and he was immediately treated by pre-staged medical staff.

The suspect was eventually transported to and treated at the Los Angeles County Medical Center Jail Ward for a fractured orbital socket and fractured nose. Two deputies were transported to local hospitals and treated for exposure to hazardous body fluids. Both deputies were prescribed medication to counter act and prevent the possible transmission of the Human Antibody Virus (H.I.V.) syndrome. One of the two deputies was also treated for a sprain to his right "pinky" finger.

The EFRC determined the force used against the suspect was within Department policy. The EFRC also determined the tactics used were within Department policy.

RECOMMENDATIONS:

The EFRC recommended the unit commander, Captain Daniel J. Dyer, conduct a tactical debriefing regarding the unique circumstances of this incident. Additionally, the EFRC recommended the Custody Training Unit look into other options to deal with uncooperative inmates, similar to this incident, that do not involve the Safety Chair.

Lastly, the EFRC recommended the Custody Training Unit contact the manufacturer of the Safety Chair to discuss the issue of a brake system to prevent the chair from moving during application.

BDD:JER:jer

Los Angel County Sheriff's epartment

Supervisor's Report on Use of Force

Incident Information

URN: 913-00004-5100-057	Date: 01/02/13	Time: 1215 hours	
Location: 441 Bauchet Street		City or Station: Los Angeles	
Bureau/Station/Facility: Men's Central Jail		Admin. Investigation: (●) YES ( ) NO	
Type of Force: Calculated Cell Extraction, Custody Special Weapons Deployment, Taser, Personal Weapons			
Incident Category: ( ) 1 ( ) 2 (●) 3	Deputy Injury: (●) YES ( ) NO	Suspect Injury (●) YES ( ) NO	
☐ Call	☐ Observation	☒ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified: (●) YES ( ) NO	Person Notified: Lt. Myron Johnson	Emp: [redacted]	IAB Roll Out (●) YES ( ) NO

Involved Employee

E1

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle I.: [redacted]	Rank: B-1	
Sex: (●) M ( ) F	Race: W	Height: 606	Weight: 245	Age: [redacted]	Shift: ( ) EM (●) Day ( ) PM — (●) Regular Shift ( ) OT Shift ( ) Off Duty
Unit of Assignment: Men's Central Jail	Work Assignment (Unit #, Module, etc.): Supervising Line Deputy Module 1750				
Individual Force Used: MK-46 Oleoresin Capsicum spray	(●) Directed ( ) Rescue ( ) Medical Assist	Individual Category: ( ) 1 (●) 2 ( ) 3			
☐ Injured ☐ Treated ☐ Admitted	Facility:	Coroner Case #:			

E2

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle I.: [redacted]	Rank: DSG	
Sex: (●) M ( ) F	Race: W	Height: 508	Weight: 180	Age: [redacted]	Shift: ( ) EM (●) Day ( ) PM — (●) Regular Shift ( ) OT Shift ( ) Off Duty
Unit of Assignment: Men's Central Jail	Work Assignment (Unit #, Module, etc.): 25/27 Prowl Movement				
Individual Force Used: Extraction shield use and personal weapons	(●) Directed ( ) Rescue ( ) Medical Assist	Individual Category: ( ) 1 (●) 2 ( ) 3			
☐ Injured ☐ Treated ☐ Admitted	Facility:	Coroner Case #:			

E3

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle I.: [redacted]	Rank: DSG	
Sex: (●) M ( ) F	Race: W	Height: 603	Weight: 230	Age: [redacted]	Shift: ( ) EM (●) Day ( ) PM — (●) Regular Shift ( ) OT Shift ( ) Off Duty
Unit of Assignment: Men's Central Jail	Work Assignment (Unit #, Module, etc.): 25/27 Title 15 Deputy				
Individual Force Used: Control Holds	(●) Directed ( ) Rescue ( ) Medical Assist	Individual Category: (●) 1 ( ) 2 ( ) 3			
☐ Injured ☐ Treated ☐ Admitted	Facility:	Coroner Case #:			

On Duty Supervisor

☐ Additional Involved Employees

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Corbett	Brendan	J.	Sgt	YES (●) NO ( )	YES (●) NO ( )

Supervisor Completing Investigation

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Ingreso	Romeo	F.	Sgt	YES ( ) NO (●)	YES ( ) NO (●)

Watch Commander / Supervising Lieutenant

Emp. #	Last Name	First Name	Middle I.	Rank
[redacted]	Maldonado	Albert	M.	Lt.

Lieutenant Albert Maldonado #[redacted]

Watch Commander / Supervising Lieutenant's **Signature:** Date Copy Provided to Employee by: Emp #:

Captain Ralph Ornelas [redacted]

Unit Commander (**Print Name**) Unit Commander's **Signature:** Emp #: Date

DISCOVERY Use Only

FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

Supervisor's Report on Use of Force
SUSPECT INFORMATION

913-00004-5100-057

Suspect Information

S 1

Last Name	First Name	Middle Name	Armed? Select
Lagarde	Jacob	Timothy	Other

AKA Last Name: First Name: Middle Name:

Sex	Race	Age	Height	Weight	D.O.B	Phone #1: ○ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
(●) Male ○ Female	H	29	509	185	02-10-85	[redacted]	[redacted]

Street Address: [redacted] City: [redacted] State & Zip Code: [redacted]

Booking #: 3344496 Primary Charge Code: 243.9(a) PC Secondary Charge Code: 243(c)(2) PC [redacted] Criminal History

Treated on Scene? (●) YES ○ NO Name: MCJ Dr. Pryor Unit: Phone #: 213-974-4921

Hospital Admission? ☐ Rec'd Treatment At: LCMC Jail Ward Coroner Case #: Mental History ☐ User's guide provides direction on this entry

By: Dr. Torregrossa Address: 2057 Marengo Street L.A., CA 90033 Phone #: 323-409-4566

Under Influence: ○ YES (●) NO Substance: 5150 a factor in force? ○ YES (●) NO User's guide provides direction on this entry

Suspect Interview

Date: N/A Time: N/A ☐ Audiotape: ☐ Videotape: ☒ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S_

Last Name	First Name	Middle Name	Armed? Select

AKA Last Name: First Name: Middle Name:

Sex: ○ Male ○ Female Race: Age: Height: D.O.B. Weight: Phone #1: ○ H ○ W ○ C Phone #2: ○ H ○ W ○ C

Street Address: City: State & Zip Code:

Booking #: Primary Charge Code: Secondary Charge Code: ☐ Criminal History

Treated on Scene? ○ YES ○ NO By: Unit: Phone #:

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case #: Mental History ☐ User's guide provides direction on this entry

By: Address: Phone #:

Under Influence: ○ YES ○ NO Substance: 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Suspect Interview

Date: Time: ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S_

Last Name	First Name	Middle Name	Armed? Select

AKA Last Name: First Name: Middle Name:

Sex: ○ Male ○ Female Race: Age: Height: D.O.B. Weight: Phone #1: ○ H ○ W ○ C Phone #2: ○ H ○ W ○ C

Street Address: City: State & Zip Code:

Booking #: Primary Charge Code: Secondary Charge Code: ☐ Criminal History

Treated on Scene? ○ YES ○ NO By: Unit: Phone #:

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case #: Mental History ☐ User's guide provides direction on this entry

By: Address: Phone #:

Under Influence: ○ YES ○ NO Substance: 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Suspect Interview

Date: Time: ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

9 1 3 - 0 0 0 0 4 - 5 1 0 0 - 0 5 7

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Ornelas	Ralph	G.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Men's Central Jail	Unit Commander	◯ EM ◉ Day ◯ PM	◉ Regular ◯ OT ◯ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Maldonado	Albert	M.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Men's Central Jail	Watch Commander	◯ EM ◉ Day ◯ PM	◉ Regular ◯ OT ◯ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Jordan	James	T.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Men's Central Jail	Module 175 Sergeant	◯ EM ◉ Day ◯ PM	◉ Regular ◯ OT ◯ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]				

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

☐ **Additional Witness**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION - Continuation

913 - 00004 - 5100 - 057

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Corbett	Brendan	J.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Men's Central Jail	3000 Floor Sergeant	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Newhouse	Matthew	C.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Men's Central Jail	1750 Module Deputy	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Lujan	Zachary	M.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Men's Central Jail	1750 Module Deputy	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

913 - 00004 - 5100 - 057

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Sweeney	Wayne	V.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Men's Central Jail	Men's Central Jail Training Unit	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Fillpot	Michael	L.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Men's Central Jail	Module 4800 Deputy	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Felix	Cecilio	NMN

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Men's Central Jail	Module 1750	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]				

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

☐ Additional Witness

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION - Continuation

913 - 00004 - 5100 - 057

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Rivera	Jason	M.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Men's Central Jail	1750 Movement Deputy	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
		○ EM ○ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
		○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Supervisor's Report on Use of Force

9 1 3 - 0 0 0 0 4 - 5 1 0 0 - 0 5 7

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
[redacted]	E#1	Lagarde, Jacob	S#1	OC	NN	FA
[redacted]	E#2	Lagarde, Jacob	S#1	SH	FR	FA
[redacted]	E#2	Lagarde, Jacob	S#1	PH	NN	BK
[redacted]	E#2	Lagarde, Jacob	S#1	CT	NN	LE
[redacted]	E#3	Lagarde, Jacob	S#1	CT	NN	SH
[redacted]	E#4	Lagarde, Jacob	S#1	TR	NN	BK
[redacted]	E#4	Lagarde, Jacob	S#1	TR	PW	CH
[redacted]	E#4	Lagarde, Jacob	S#1	CT	NN	FA
[redacted]	E#5	Lagarde, Jacob	S#1	CT	NN	AR
[redacted]	E#6	Lagarde, Jacob	S#1	TR	NN	AD
[redacted]	E#6	Lagarde, Jacob	S#1	CT	NN	FE
[redacted]	E#7	Lagarde, Jacob	S#1	SB	NN	N/A
[redacted]	E#7	Lagarde, Jacob	S#1	HB	NN	LE
[redacted]	E#8	Lagarde, Jacob	S#1	CT	NN	HE
Orrego, Mizrain	E#9	Lagarde, Jacob	S#1	PH	FR	FA
Orrego, Mizrain	E#9	Lagarde, Jacob	S#1	PO	FR	FA
Lagarde, Jacob	S#1	[redacted]	E#2	PO	NN	LE
Lagarde, Jacob	S#1	Orrego, Mizrain	E#9	PO	HB	LE
Lagarde, Jacob	S#1	Orrego, Mizrain	E#9	PH	ST	AR
Lagarde, Jacob	S#1	Orrego, Mizrain	E#9	PO	HB	AR
Lagarde, Jacob	S#1	Orrego, Mizrain	E#9	BF	CP	AR
Lagarde, Jacob	S#1	[redacted]	Victim	BF	CP	FA

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation

9 1 3 - 0 0 0 0 4 - 5 1 0 0 - 0 5 7

Involved Employee

E4

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]	[redacted]	DSG

Sex	Race	Height	Weight	Age	Shift	
M (selected) / F	H	507	160	[redacted]	EM / Day (selected) / PM	Regular Shift (selected) / OT Shift / Off Duty

Unit of Assignment	Work Assignment (Unit #, Module, etc.)
Men's Central Jail	3000 Prowl No. #3

Individual Force Used		Individual Category
Taser Application, Control Holds	Directed (selected) / Rescue / Medical Assist	1 / 2 (selected) / 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ Coroner Case #:

E5

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]	[redacted]	DSG

Sex	Race	Height	Weight	Age	Shift	
M (selected) / F	M	508	180	[redacted]	EM / Day (selected) / PM	Regular Shift (selected) / OT Shift / Off Duty

Unit of Assignment	Work Assignment (Unit #, Module, etc.)
Men's Central Jail	2000 Floor Prowl #2 (CARP Position)

Individual Force Used		Individual Category
Control Holds	Directed (selected) / Rescue / Medical Assist	1 (selected) / 2 / 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ Coroner Case #:

E6

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]	[redacted]	DSG

Sex	Race	Height	Weight	Age	Shift	
M (selected) / F	W	510	190	33	EM / Day (selected) / PM	Regular Shift (selected) / OT Shift / Off Duty

Unit of Assignment	Work Assignment (Unit #, Module, etc.)
Men's Central Jail	56/59 Title 15 Deputy

Individual Force Used		Individual Category
Taser Application, Control Holds	Directed (selected) / Rescue / Medical Assist	1 / 2 (selected) / 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ Coroner Case #:

E7

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]	[redacted]	DSG

Sex	Race	Height	Weight	Age	Shift	
M (selected) / F	W	506	155	[redacted]	EM / Day (selected) / PM	Regular Shift (selected) / OT Shift / Off Duty

Unit of Assignment	Work Assignment (Unit #, Module, etc.)
Men's Central Jail	Men's Central Jail Training Unit

Individual Force Used		Individual Category
Stingball Deployment, Hobble Restraint (legs only)	Directed (selected) / Rescue / Medical Assist	1 / 2 (selected) / 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ Coroner Case #:

E8

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]	[redacted]	DSG

Sex	Race	Height	Weight	Age	Shift	
M (selected) / F	O	507	190	[redacted]	EM / Day (selected) / PM	Regular Shift (selected) / OT Shift / Off Duty

Unit of Assignment	Work Assignment (Unit #, Module, etc.)
Men's Central Jail	35/27 Prowl Movement

Individual Force Used		Individual Category
Control Holds	Directed (selected) / Rescue / Medical Assist	1 (selected) / 2 / 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ Coroner Case #:

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation

913 - 00004 - 5100 - 057

Involved Employee

E9

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Orrego	Mizrain	J.	DSG

Sex:	Race:	Height:	Weight:	Age:	Shift:	
(●) M ( ) F	H	507	155	[redacted]	( ) EM (●) Day ( ) PM	(●) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment: Men's Central Jail

Work Assignment (Unit #, Module, etc.): 51-54 Title 15 Deputy

Individual Force Used: Personal Weapons — (●) Directed ( ) Rescue ( ) Medical Assist

Individual Category: ( ) 1 (●) 2 ( ) 3

[X] Injured [X] Treated [ ] Admitted Facility: Temple Medical Center

Coroner Case #:

E__

Employee #	Last Name	First Name	Middle I.	Rank

Sex: ( ) M ( ) F | Race: | Height: | Weight: | Age: | Shift: ( ) EM ( ) Day ( ) PM | ( ) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Individual Force Used: ( ) Directed ( ) Rescue ( ) Medical Assist | Individual Category ( ) 1 ( ) 2 ( ) 3

[ ] Injured [ ] Treated [ ] Admitted Facility: | Coroner Case #

E__

Employee #	Last Name	First Name	Middle I.	Rank

Sex: ( ) M ( ) F | Race: | Height: | Weight: | Age: | Shift: ( ) EM ( ) Day ( ) PM | ( ) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Individual Force Used: ( ) Directed ( ) Rescue ( ) Medical Assist | Individual Category ( ) 1 ( ) 2 ( ) 3

[ ] Injured [ ] Treated [ ] Admitted Facility: | Coroner Case #

E__

Employee #	Last Name	First Name	Middle I.	Rank

Sex: ( ) M ( ) F | Race: | Height: | Weight: | Age: | Shift: ( ) EM ( ) Day ( ) PM | ( ) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Individual Force Used: ( ) Directed ( ) Rescue ( ) Medical Assist | Individual Category ( ) 1 ( ) 2 ( ) 3

[ ] Injured [ ] Treated [ ] Admitted Facility: | Coroner Case #

E__

Employee #	Last Name	First Name	Middle I.	Rank

Sex: ( ) M ( ) F | Race: | Height: | Weight: | Age: | Shift: ( ) EM ( ) Day ( ) PM | ( ) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Individual Force Used: ( ) Directed ( ) Rescue ( ) Medical Assist | Individual Category ( ) 1 ( ) 2 ( ) 3

[ ] Injured [ ] Treated [ ] Admitted Facility: | Coroner Case #

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
INVESTIGATIVE SUMMARY
CATEGRORY 3 USE OF FORCE
(FRACTURED NOSE AND ORBITAL SOCKET)

UNIT:	Men's Central Jail
DATE:	Wednesday, January 2, 2013
TIME:	Approximately 1230 hours
LOCATION:	Men's Central Jail, Module 1750 Denver Row, Cell #2
URN#:	913-00004-5100-057
IAB#:	FO2326911

NATURE OF INCIDENT:

On-call Internal Affairs Bureau personnel assumed responsibility for completion of a force investigation after Inmate Jacob Lagarde sustained a fractured nose and orbital socket during a cell extraction. The cell extraction was supervised and conducted by personnel assigned to the Men's Central Jail.

SYNOPSIS OF INCIDENT:

On January 2, 2013, Deputy Jason Rivera was assigned to the Men's Central Jail, modules 1700 and 1750. Modules 1700 and 1750 both house inmates who have been assigned the classification of K-10.

IAB NOTE: Inmates with the housing classification of K-10 are inmates that require single person cells and allowed no physical contact with other inmates. This is due to their propensity for violence against other inmates and jail staff.

Deputy Rivera was escorting Inmate [redacted] Booking # [redacted] to cell #D-1 which houses the shower for Module 1700. Deputy Cecilio Felix was monitoring Deputy Rivera and Inmate [redacted] as they walked along "D" row towards cell #D-1. Deputy Felix monitored the activity on "D" row as he stood inside the 1750 module booth. As Deputy Rivera was escorting Inmate [redacted] Inmate Jacob Lagarde booking #3344496, was standing inside of cell #D-2. Inmate Lagarde stood at the front of the cell at the entrance/exit gate. When Deputy Rivera walked past the area in front of cell #D-2, Inmate Lagarde threw a modified milk carton filled with a liquid that smelled of urine onto Deputy Rivera's face and uniform shirt.

IAB NOTE: The assault by "gassing" was captured by a jail surveillance camera mounted on the wall of Denver Row. While the assault was captured on video, there was no audio recordings that accompanied the video, see **Exhibit A**.

Inmate [redacted] was placed into the shower cell #D-1 while Deputy Rivera retreated off of the row. Inmate Lagarde was left inside his cell while Deputy Rivera was provided aid. Deputy Rivera's Class "B" uniform shirt and face were covered with what was believed to be urine. Deputy Felix momentarily exited the module booth and assisted Deputy Rivera away from the row. Sergeant James Jordan, who was the 1750 Floor Sergeant, was notified of the assault against Deputy Rivera.

Sergeant Jordan notified Lieutenant Albert Maldonado of the assault. After conferring with Lieutenant Maldonado, Sergeant Jordan devised a plan to safely approach Inmate Lagarde and escort him to a discipline cell. Sergeant Jordan approached Inmate Lagarde as he stood in his cell and ordered him to allow handcuffs be placed upon him so he could be escorted to a discipline cell. Inmate Lagarde refused to be handcuffed and refused to be escorted to a discipline cell. The conversation between Sergeant Jordan and Inmate Lagarde was recorded on video. Sergeant Jordan retreated off of the row, as Inmate Lagarde remained inside cell #D-2. Sergeant Jordan determined module operations could not be conducted safely if Inmate Lagarde were allowed to remain inside the cell on "Denver" row. Sergeant Jordan believed Inmate Lagarde needed to be escorted to a discipline cell and a calculated cell extraction was the safest way to accomplish this.

At approximately 0910 hours Sergeant Jordan began the cell extraction process. Sergeant Jordan contacted Doctor Pryor from the Men's Central Jail medical staff, mental health professional Danny Redmond and Catholic Chaplain Carmel Puga. At approximately 0945 hours Captain Ralph Ornelas, accompanied Lieutenant Maldonado, Doctor Pryor, Danny Redmond and Chaplain Carmel Puga into module 1750. Each person accompanied by Captain Ornelas requested that Inmate Lagarde comply with Sergeant Jordan's orders and exit the cell voluntarily. Inmate Lagarde refused to cooperate with any these persons and defiantly remained inside the cell. Captain Ornelas approved the commencement of the cell extraction.

I.A.B. NOTE: The conversations between Inmate Lagarde and Captain Ornelas, Sergeant Jordan, Sergeant Corbett the Jail Mental Evaluation Team, Doctor Pryor, Danny Redmond and Chaplain Carmel Puga were video recorded, **see Exhibit A**.

At 1100 hours Men's Central Jail was placed on "Lock-Down" status in order to prepare for the extraction of Inmate Lagarde. At 1130 hours, the "Green" Extraction Team was activated and assembled by their team leader Sergeant Corbett. Sergeant Corbett held a safety briefing for all personnel involved in the extraction of Inmate Lagarde inside the 2000 Floor Training Room.

I.A.B. NOTE: The safety briefing was video recorded by Deputy Lujan. The briefing contains the assignments of extraction team personnel, tactics and intelligence gathered, **see Exhibit B**.

The safety briefing provided an overview of the tactics to be utilized during the extraction and the disciplinary history of Inmate Lagarde. Inmate Lagarde was described as an extremely violent inmate and considered dangerous to all jail staff and other inmates. The "Green" Extraction Team was also briefed about a note that was passed from another inmate to Inmate Lagarde. The note attempted to discourage Inmate Lagarde from committing acts of violence against deputy personnel.

At approximately 1215 hours, Sergeant Corbett, accompanied by the "Green" Extraction Team, approached Inmate Lagarde who was inside cell #D-2. Sergeant Corbett provided Inmate Lagarde the opportunity to be handcuffed inside his cell and exit voluntarily. Inmate Lagarde refused Sergeant Corbett's request and remained inside the cell.

I.A.B. NOTE: Sergeant Corbett's conversation with Inmate Lagarde was video recorded however the video footage is unrecognizable. The footage, while blurred, does contain audio of Sergeant Corbett speaking directly with Inmate Lagarde, **see Exhibit B**.

Sergeant Corbett ordered the commencement of the extraction. During the extraction process, Oleoresin Capsicum spray, a sting ball grenade and two separate Tasers were deployed at the orders of Sergeant Corbett. During this process, Inmate Lagarde attempted to break Deputy Mizrain Orrego's right pinky finger by violently grabbing onto and bending it. After handcuffing and applying a hobble restraint around his ankles, members of the "Green" Extraction Team removed Inmate Lagarde from his cell and secured him into an awaiting "Safety Chair." While being placed into the "Safety Chair" Inmate Lagarde spat blood upon members of the extraction team. Inmate Lagarde also bit Deputy Mizrain Orrego on his right wrist through a protective "spit mask." Members of the extraction team also used another Taser and delivered a punch and several elbow strikes upon Inmate Lagarde as they secured him into the safety chair. Members of the "Green" Extraction Team eventually secured Inmate Lagarde into the safety chair and he was immediately treated by pre-staged medical staff.

Inmate Lagarde was eventually transported to and treated at the Los Angeles County Medical Center Jail Ward for a fractured orbital socket and fractured nose. Both Deputies Jason Rivera and Mizrain Orrego were transported to local hospitals and treated for exposure to hazardous body fluids. Both deputies were prescribed medication to counter act and prevent the possible transmission of the Human Antibody Virus (H.I.V.) syndrome. Deputy Orrego was also treated for a sprain to his right "pinky" finger.

I.A.B. NOTE: The cell extraction of Inmate Lagarde was video recorded by Deputy Lujan and partially captured by a surveillance camera on "Denver" row. The videos contain footage of the cell extraction and the extraction team's efforts to place Inmate Lagarde into the safety chair, **see Exhibit B**.

Subsequent medical treatment of Inmate Lagarde and transportation to the Los Angeles County Medical Center was also video recorded, **see Exhibit C**.

Sergeant Corbett supervised and directed the extraction process. Captain Ornelas was also present as the extraction of Inmate Lagarde took place.

INVOLVED PERSONNEL:

Corbett, Brendan - Sergeant, #[redacted]
Men's Central Jail
Green Extraction Team Leader - 3000 Floor Sergeant
Custody Division

Date of Employment: 06-12-1985
Date Assigned to MCJ: 12-11-2011
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] **– Deputy**, #[redacted]
Men's Central Jail
MK-46 Deputy Green Extraction Team - Supervising Line Deputy Module 1750
Custody Division

Date of Employment: 02-23-99
Date Assigned to MCJ: 06-02-2005
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] **– Deputy**, #[redacted]
Men's Central Jail
Shield Deputy Green Extraction Team – 25/27 Prowl Movement
Custody Division

Date of Employment: 10-03-2007
Date Assigned to MCJ: 02-10-2008
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] **– Deputy**, #[redacted]
Men's Central Jail
40mm Green Extraction Team – 25/27 Title 15 Deputy
Custody Division

Date of Employment: 05-29-2007
Date Assigned to MCJ: 11-04-2007

Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] **– Deputy, #**[redacted]
Men's Central Jail
Taser Deputy Extraction Team – 3000 Prowl No. #3
Custody Division

Date of Employment: 06-27-2007
Date Assigned to MCJ: 11-04-2007
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] **– Deputy, #**[redacted]
Men's Central Jail / Jail Liaison Unit
Emergency Response Team #1– 2000 Prowl No. #2 (CARP Position)
Custody Division

Date of Employment: 08-15-2005
Date Assigned to MCJ: 01-20-2006
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] **– Deputy, #**[redacted]
Men's Central Jail
Taser – Capture Deputy Green Extraction Team – 56-59 Title 15 Deputy
Custody Division

Date of Employment: 06-11-2007
Date Assigned to MCJ: 11-04-2007
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] **– Deputy, #**[redacted]
Men's Central Jail
Sting Ball Deputy Green Extraction Team – Men's Central Jail Training Unit
Custody Division

Date of Employment: 10-02-2006
Date Assigned to MCJ: 03-01-2007
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] – Deputy, #[redacted]
Men's Central Jail
Shield-Hobble Deputy Green Extraction Team – 25-27 Prowl Movement Deputy
Custody Division

Date of Employment: 10-03-2007
Date Assigned to MCJ: 02-10-2008
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

Orrego, Mizrain – Deputy, #[redacted]
Men's Central Jail
Capture Deputy Green Extraction Team – 51-54 Title 15 Deputy
Custody Division

Date of Employment: 10-15-2007
Date Assigned to MCJ: 03-16-2008
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

SWORN WITNESSES:

Ornelas, Ralph - Commander, #[redacted]
Custody Division
Commander, Custody Division

Date of Employment: 05-26-1981
Date Assigned to MCJ: March 27, 2011
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

Newhouse, Matthew - Deputy, #[redacted]
Men's Central Jail
Module Deputy 1750
Custody Division

Date of Employment: 11-27-2006
Date Assigned to MCJ: 04-15-2007
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

Lujan, Zachary- Deputy, #[redacted]
Men's Central Jail
Module Deputy 1750
Custody Division

Date of Employment: 01-06-2008
Date Assigned to MCJ as Deputy Sheriff: 05-27-2012
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

Sweeney, Wayne, Deputy, #[redacted]
Men's Central Jail
Men's Central Jail Training Unit
Custody Division

Date of Employment: 05-17-2010
Date Assigned to MCJ: 05-17-2010
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

Fillpot, Michael, Deputy, #[redacted]
Men's Central Jail
Module 4800 Deputy
Custody Division

Date of Employment: 03-19-2012
Date Assigned to MCJ: 08-12-2012
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

<u>INVOLVED SUSPECT:</u>

Inmate Lagarde, Jacob Timothy MH/29 Booking #3344496, DOB: 02-10-85
[redacted], [redacted], CII #[redacted]
Booking Charges: 664/187 PC; 205 PC

<u>Criminal History:</u>

Inmate Lagarde's criminal history consists of the following charges:

[redacted]

[redacted]

Los Angeles County Sheriff Custody Division Inmate Disciplinary History:

On November 2, 2012, Inmate Lagarde physically assaulted Deputy Lucia Varela in an ambush style attack. During the assault Deputy Varela was knocked unconscious by Inmate Lagarde who then stomped her face and head into the concrete floor as she lay defenseless. Deputy Varela was hospitalized at Henry Mayo Hospital and treated for severe head and facial injuries. As a result of the assault, Deputy Varela was deemed totally disabled and unable to return to work at the North County Correctional Facility until April of 2013. [redacted]

I.A.B. NOTE: This assault against Deputy Lucia Varela was documented in a criminal report under file #912-01932-5640-058. The criminal incident report, Inmate Lagarde's jail disciplinary history, copy of the P.I.M.S. system inquiry Defendant Charge sheet and his prior criminal history were submitted with this casebook, **see Exhibit D**.

NON DEPARTMENT WITNESS STATEMENTS:

There were no non-department witnesses to this cell extraction.

INVOLVED EMPLOYEE STATEMENTS:

Deputy [redacted] was interviewed on September 10, 2013, at 1333 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Deputy [redacted] has been assigned to the Men's Central Jail for approximately three and one half years as a deputy sheriff. Deputy [redacted] was advised of his right to representation prior to the interview. Deputy [redacted] was represented by Attorney Leslie Wilcox from the law firm of Green & Shinee.

Deputy [redacted] stated on January 2, 2013, he was assigned to module 1750 as the Supervising Line Deputy. He also stated he prepared a report under file #913-00004-5100-057 detailing his involvement in the cell extraction of Inmate Lagarde. Deputy [redacted] stated he was approached by Sergeant Corbett who assigned him as the MK-46 deputy on the "Green" extraction team. Deputy [redacted] said he attended a

safety briefing inside the 2000 Floor Training Room that was conducted by Sergeant Corbett.

Deputy [redacted] said the briefing included intelligence gathered from correspondence that had been confiscated after it was passed to Inmate Lagarde from another inmate. Deputy [redacted] stated the contents of the correspondence tried to dissuade Inmate Lagarde from committing any violence that would carry a life sentence. Deputy [redacted] stated he believed the correspondence indicated Inmate Lagarde was planning on assaulting or injuring another deputy sheriff.

Deputy [redacted] stated the "Green" Extraction Team gathered in front of module 1750, checked the team's readiness and reaffirmed the team member's assignments and responsibilities. Deputy [redacted] said after the captain, chaplain, and psychologist spoke with Inmate Lagarde, he still refused to exit his cell. Deputy [redacted] said at 1214 hours, Sergeant Corbett directed him to deploy the MK-46 canister against Inmate Lagarde. Deputy [redacted] stated he delivered a 3-5 second spray of the oleoresin capsicum spray into Inmate Lagarde's cell. Deputy [redacted] stated he sprayed the chemicals in a half circular motion, from one wall to the ceiling, ending at the other cell wall.

Deputy [redacted] stated the presence of the oleoresin capsicum spray did not have any effect on Inmate Lagarde who remained standing inside the cell. Sergeant Corbett directed him to re-deploy the MK-46 canister. Deputy [redacted] sprayed the chemicals for 1-2 seconds at Inmate Lagarde's direction but was unsure if the gas made direct contact with him. Deputy [redacted] said Inmate Lagarde was holding a hand towel over his face during the second MK-46 application. Deputy [redacted] stated after both MK-46 applications, Inmate Lagarde never approached the cell gate to voluntarily surrender or be handcuffed. Deputy [redacted] stated Inmate Lagarde remained near the back of the cell.

Deputy [redacted] said after he deployed the MK-46, he stepped away from the cell while Sergeant Corbett ordered a sting ball grenade be deployed into the cell. Deputy [redacted] stated when the sting ball detonated the cell gate opened. Deputy [redacted] added the detonation of the sting ball and the opening of the cell gate was part of the extraction team's plan. Deputy [redacted] said three deputies entered the cell and began struggling with Inmate Lagarde. Deputy [redacted] stated the deputies were trying to place Inmate Lagarde's hands behind his back. Deputy [redacted] stated he heard the deputies giving Inmate Lagarde commands the entire time.

Deputy [redacted] said Inmate Lagarde was eventually removed from the cell and placed into a safety chair. Deputy [redacted] stated Inmate Lagarde was struggling and fighting with deputies during this time. Deputy [redacted] said the deputies were having difficulty placing Inmate Lagarde into the safety chair because the chair was moving, so he assisted them by stabilizing the safety chair. Deputy [redacted] said he heard a deputy that was near Inmate Lagarde's upper torso saying he was being bitten. He saw the deputy punch Inmate Lagarde once in the face.

IAB NOTE: The deputy who punched Inmate Lagarde was identified as Deputy Mizrain Orrego. Deputy Mizrain Orrego admits to punching Inmate Lagarde during the time when Inmate Lagarde was being placed into the safety chair. This use of force by Deputy Orrego was recorded on video by Deputy Lujan during the incident and documented in Deputy Orrego's supplemental report.

Deputy [redacted] recalls placing a "spit mask" over Inmate Lagarde's head. He also recalled placing the "spit mask" over Inmate Lagarde's head prior to the deputy being bitten. He described the "spit mask" as soft and pliable and said it is soft enough for a person to bite through. Deputy [redacted] stated the struggle to place Inmate Lagarde into the safety chair continued and he again heard a deputy saying he was being bitten. Deputy [redacted] believed it was the same deputy and saw him deliver an elbow strike to Inmate Lagarde's face. Deputy [redacted] did not believe either the punch or elbow strike had any effect against Inmate Lagarde, who continued to struggle. Deputy [redacted] described Inmate Lagarde's behavior as violent. He said it was "unbelievable" how many deputies it required to restrain him in the safety chair. He again stated the elbow strike and punch had no effect against Inmate Lagarde. Deputy [redacted] stated medical personnel arrived and treated Inmate Lagarde once he was secured into the safety chair. Deputy [redacted] also said the extraction team was issued and wearing stab-proof vest, gas masks and helmets during the extraction.

During the interview Deputy [redacted] watched a video recording of the cell extraction of Inmate Lagarde. After viewing the video, Deputy [redacted] did not wish to add, discuss or clarify either the contents of his report or his interview. Deputy [redacted] did want to emphasize the violent nature of Inmate Lagarde's behavior. He described Inmate Lagarde as a violent inmate who had previously attacked a female deputy. Deputy [redacted] re-emphasized Inmate Lagarde struggled with and kept fighting against the extraction team deputies.

Deputy [redacted] did not have any further statements to add to this investigation. Deputy [redacted] documented his actions and observations in a supplemental report under file #913-00004-5100-057, **see Exhibit E**.

Deputy [redacted] was interviewed on September 6, 2013, at 1230 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Deputy [redacted] has been assigned to the Men's Central Jail for approximately five years as a deputy sheriff. Deputy [redacted] was advised of his right to representation prior to the interview. Deputy [redacted] was represented by Attorney Leslie Wilcox from the law firm of Green & Shinee.

On January 2, 2013, Deputy [redacted] stated he was assigned to the Men's Central Jail. On that date he was assigned to the "Green" Extraction Team and he prepared a report under file #913-00004-5100-057, detailing his involvement in the cell extraction of Inmate Lagarde. Deputy [redacted] was assigned as a shield deputy on the "Green" Extraction Team and stated Sergeant Corbett was his extraction team leader on January 2, 2013. Deputy [redacted] stated Men's Central Jail was placed on "lock down" and he attended a safety briefing in the 2000 Floor Training Room. He said Sergeant Corbett conducted the safety briefing prior to the extraction of Inmate Lagarde.

Deputy [redacted] stated the briefing described how a deputy had either urine or fecal matter thrown on him. Deputy [redacted] also stated the briefing described a note that was recovered from an inmate. Deputy [redacted] said the note discouraged Inmate Lagarde from committing any acts that would earn him a life sentence. Deputy [redacted] stated he believed the note meant Inmate Lagarde was planning to either injure or kill a deputy sheriff. Deputy [redacted] also stated because of the note and how he interpreted it, he believed Inmate Lagarde was in possession of a slashing device or a jail made stabbing device. Deputy [redacted] said he felt "fearful" going into the extraction.

I.A.B. NOTE: The note was recovered and booked as evidence by Deputy Felix. A photocopy of the note was submitted with the criminal report submitted by Deputy Felix under file #912-0004-5100-057. The criminal report and note were both submitted with this case book, **see Exhibit U**.

Deputy [redacted] said the extraction team members were issued and wore gas masks, vests and helmets. Deputy [redacted] stated he was also issued a shield. Deputy [redacted] stated he provided protection by placing his shield against the cell gate while Sergeant Corbett tried to persuade Inmate Lagarde to exit the cell voluntarily. Deputy [redacted] stated Sergeant Corbett was not successful in his attempts to persuade Inmate Lagarde to comply. Deputy [redacted] stated Sergeant Corbett directed the MK-46 canister and a sting ball to be deployed into the cell. Deputy [redacted] stated after the MK-46 was deployed, Inmate Lagarde ran to the back of the cell and "hunched" over the toilet. Deputy [redacted] stated he believed Inmate Lagarde was trying to retrieve a jail made slashing or stabbing device. Deputy [redacted] stated at this time Sergeant Corbett ordered the deployment of a sting ball grenade into the cell.

Deputy [redacted] stated the sting ball grenade detonated, the cell gate opened and he began to make entry into the cell. Deputy [redacted] stated as he entered the cell, Inmate Lagarde stood up and assumed a fighting stance.

IAB NOTE: As Deputy [redacted] was describing Inmate Lagarde's fighting stance, he brought both clenched fist to chest and shoulder height and replicated a "boxer's" stance. He did this while remaining seated in the interview room.

Deputy [redacted] stated when the sting ball detonated smoke was emitted and he did not have a clear view of Inmate Lagarde. Deputy [redacted] said the detonation of the sting

ball did not appear to affect Inmate Lagarde who was standing in a "fighting" stance as he entered the cell. Deputy [redacted] also said the detonation of the sting ball, the opening of the cell gate and entry into the cell with the shield was a part of a pre-coordinated plan. Deputy [redacted] said when he entered the cell Inmate Lagarde lunged at his feet. Deputy [redacted] said he used Inmate Lagarde's momentum and the shield to pin him against the ground onto his stomach. Deputy [redacted] clarified he did not strike Inmate Lagarde with the shield and only used it to hold him against the floor.

Deputy [redacted] said Inmate Lagarde was trying to fight by kicking and trying to grab deputies with his left hand. Deputy [redacted] delivered 8-9 "hammer fist strikes" against Inmate Lagarde's lower and upper back and torso area. Deputy [redacted] was then able to gain control of Inmate Lagarde's right arm and handcuff it.

IAB NOTE: Deputy [redacted] physically demonstrated a "hammer fist strike" during the interview. He used his right hand and indicated the "bottom" side of his hand alongside his "pinky" or small finger was the portion of his hand he used to deliver the strikes. He brought his right hand down against the interview room table, striking it with this portion of his right hand. Deputy [redacted] indicated he did not strike Inmate Lagarde with the knuckled portion of his right hand. Deputy [redacted] stated he was taught this "hammer fist strike" technique by defensive tactics instructors during the academy and during in service jail training. Deputy [redacted] stated he chose this technique so he would not injure his hand if he accidentally struck the concrete floor below.

Deputy [redacted] said he delivered the hammer fist strikes in series of one to two blows, allowing him to eventually handcuff Inmate Lagarde's right hand. Deputy [redacted] stated Deputy Orrego was able to help him handcuff Inmate Lagarde. Deputy [redacted] said he also used his body weight against Inmate Lagarde's thighs while he was inside the cell. Deputy [redacted] stated he did not use any other force against Inmate Lagarde inside the cell.

Deputy [redacted] stated as Inmate Lagarde was removed from the cell he did not participate in that process because he was trying to retrieve his helmet which had fallen off inside the cell. Deputy [redacted] stated Inmate Lagarde struggled against deputies as they attempted to place him into the safety chair. Deputy [redacted] stated he assisted the deputies by restraining Inmate Lagarde's upper right arm and pushing him back into the safety chair. Deputy [redacted] stated Inmate Lagarde was arching his body and biting deputies during this time. Deputy [redacted] stated he and other deputies were ordering Inmate Lagarde to stop fighting and biting. Deputy [redacted] stated he heard a deputy shout, "He's biting me!" Deputy [redacted] said he did not strike Inmate Lagarde while in the safety chair.

Deputy [redacted] said he heard the sound of a Taser being activated while he struggled with Inmate Lagarde in the safety chair. Deputy [redacted] said he could not see who was using the Taser, however he heard the commands of "stop fighting" being shouted at

Inmate Lagarde as the Taser activated. Deputy [redacted] believed he heard the Taser activated 3-4 four times during the struggle. Deputy [redacted] stated he believed at least one deputy was bitten during the cell extraction. He said he reported his actions and observations to Sergeant Corbett.

During the interview Deputy [redacted] watched a video recording of the cell extraction of Inmate Lagarde. After viewing the video, Deputy [redacted] did not wish to add, discuss or clarify either the contents of his report or his interview. Deputy [redacted] did clarify he observed Sergeant Corbett giving commands to Inmate Lagarde prior to him approaching with the shield. Deputy [redacted] also stated during the video footage of Inmate Lagarde being placed into the safety chair, he may have been depicted "holding onto" Inmate Lagarde. Deputy [redacted] was not completely certain if it was him depicted in the video footage.

Deputy [redacted] did not have further statements to add in this investigation. Deputy [redacted] documented his actions and observations in a supplemental report under file #913-00004-5100-057, **see Exhibit F**.

Deputy [redacted] was interviewed on September 6, 2013, at 1143 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Deputy [redacted] has been assigned to the Men's Central Jail for approximately six years as a deputy sheriff. Deputy [redacted] was advised of his right to representation prior to the interview. Deputy [redacted] was represented by Attorney Leslie Wilcox from the law firm of Green & Shinee.

Deputy [redacted] stated on January 2, 2013, he was assigned to the Men's Central Jail as the 2600-2800 module training officer. On that date he was assigned to the "Green" Extraction Team and he prepared a report under file #913-00004-5100-057, detailing his involvement in the cell extraction of Inmate Lagarde. Deputy [redacted] was assigned as the 40mm deputy on the "Green" Extraction Team. Deputy [redacted] stated the "Green" Extraction Team was assigned to extract Inmate Lagarde from Module 1750 Cell number Denver-2. Deputy [redacted] stated prior to the extraction taking place he attended a safety briefing inside the 2000 Floor Training Room. The safety briefing was led by the "Green" Extraction Team leader, Sergeant Corbett.

Deputy [redacted] stated the safety briefing described how Inmate Lagarde assaulted a deputy inside Module 1750, by gassing. He also stated a note was recovered earlier which was discussed with members of the "Green" Extraction Team. Deputy [redacted] stated the note described a plan to lure deputies into the cell with Inmate Lagarde so he could severely harm or kill a member of the extraction team. Deputy [redacted] stated the safety briefing included extraction team assignments and duties.

Deputy [redacted] stated the extraction team members were issued helmets with face shields, vests and gas masks.

Deputy [redacted] stated when the "Green" Extraction Team entered Module 1750, it separated into two separate groups. His group, which consisted of Deputy [redacted] Senior Line Deputy [redacted] and Deputy [redacted] approached cell number Denver #2 from the catwalk off of "Abel" row. Deputy [redacted] stated the other inmates on Denver row were evacuated from their cells prior to the arrival of the extraction team. Deputy [redacted] stated only Inmate Lagarde remained on Denver row. Deputy [redacted] stated he witnessed Sergeant Corbett ask Inmate Lagarde several times to voluntarily exit his cell. Deputy [redacted] stated Inmate Lagarde refused to comply with Sergeant Corbett's orders and request, and remained inside the cell.

Deputy [redacted] stated the extraction began when Sergeant Corbett ordered Deputy [redacted] to deploy the MK-46 oleoresin canister into the cell. Deputy [redacted] said after the MK-46 was deployed Inmate Lagarde was again provided the opportunity to exit the cell voluntarily and he refused. Deputy [redacted] said Sergeant Corbett ordered the deployment of a sting ball grenade and Deputy [redacted] threw the sting ball grenade into the cell. Deputy [redacted] stated he was unable to see into the cell due to his positioning on Denver row. Deputy [redacted] stated the cell gate opened and Deputies [redacted] and Orrego entered. Deputy [redacted] remained outside of the cell and at the ready with the 40mm weapon. Deputy [redacted] stated while the extraction team members were inside the cell, he heard the commands of "stop fighting" and "place your hands behind your back" being given to Inmate Lagarde.

Deputy [redacted] stated Inmate Lagarde was eventually carried out of his cell. He also said Inmate Lagarde was extremely combative and was screaming while he was carried. Deputy [redacted] stated Sergeant Corbett ordered Inmate Lagarde to be placed into a safety chair that was staged in a sally-port near Denver row. Deputy [redacted] said Inmate Lagarde resisted deputies as they attempted to secure him into the safety chair. Deputy [redacted] stated Inmate Lagarde planted his feet against the ground and thrust his hips upward, arching his back away from the chair. Deputy [redacted] said deputies were ordering him to comply but Inmate Lagarde fought against them the entire time. Deputy [redacted] said he concentrated on securing Inmate Lagarde's legs. He said they were eventually able to secure his legs and shoulders into safety chair straps. Deputy [redacted] described the shoulder strap as a "Y" strap that secured Inmate Lagarde's shoulders.

IAB NOTE: Deputy [redacted] physically demonstrated the placement of the "Y" strap by placing both hands near his sternum and then separating them at his shoulders.

Deputy [redacted] stated Inmate Lagarde bit deputy Orrego as the extraction team placed him into the safety chair. Deputy [redacted] stated he heard a Taser being deployed against Inmate Lagarde after Deputy Orrego was bitten. Deputy [redacted] said he was attempting to secure Inmate Lagarde's feet when the Taser was deployed.

He was unsure who deployed the Taser or if it had any effect against Inmate Lagarde. Deputy [redacted] stated he and Deputy [redacted] eventually secured Inmate Lagarde's shoulders into the safety chair. Deputy [redacted] said he witnessed deputies using control hold techniques while trying to place Inmate Lagarde into the safety chair. He said he could not identify which deputies did what as there were numerous deputies, each pushing and pulling Inmate Lagarde in an effort to secure him into the safety chair. Deputy [redacted] observed blood on Inmate Lagarde but could not describe the severity of his injuries due to the low lighting in the module.

Deputy [redacted] stated he had received training for use of the safety chair during his assignment at Men's Central Jail. He stated the training consisted of familiarization of the nomenclature of the safety chair and how to secure a compliant person into the chair. Deputy [redacted] described Inmate Lagarde as combative and assaultive during the entire incident. Deputy [redacted] stated Captain Ornelas and Lieutenant Maldonado were present as the cell extraction occurred.

During the interview Deputy [redacted] watched video recordings of the cell extraction of Inmate Lagarde. After reviewing the videos Deputy [redacted] described his positioning outside of cell Denver #2 in greater detail. Deputy [redacted] stated the video appears to depict him standing directly in front of cell Denver #2; however his positioning outside of the cell did not provide him with a view of the extraction team's actions while inside the cell. He also added Sergeant Corbett's positioning at the cell gate also prevented him from observing the events inside the cell. Deputy [redacted] also believes he saw himself depicted in another video of the cell extraction. He recognized his presence in the video by the appearance of his arm and hearing his voice saying, "Give me the strap."

Deputy [redacted] did not have further statements to add in this investigation. Deputy [redacted] documented his actions and observations in a supplemental report under file #913-00004-5100-057, **see Exhibit G**.

Deputy [redacted] was interviewed on September 10, 2013, at 1215 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Deputy [redacted] has been assigned to the Men's Central Jail for approximately six years as a deputy sheriff. Deputy [redacted] was advised of his right to representation prior to the interview. Deputy [redacted] was represented by Attorney Leslie Wilcox from the law firm of Green & Shinee.

Deputy [redacted] stated on January 2, 2013, he was assigned to the Men's Central Jail as the 3000 Floor Prowl #3 deputy. On that date he was assigned to the "Green" Extraction Team and he prepared a report under file #913-00004-5100-057, detailing his involvement in the cell extraction of Inmate Lagarde. Deputy [redacted] stated his extraction team leader was Sergeant Corbett. Deputy [redacted] stated he was assigned to the team

as a Taser deputy and his extraction team was assigned to extract Inmate Lagarde from Module 1750 cell Denver #2. Prior to the extraction taking place, Deputy [redacted] attended a safety briefing in the 2000 Floor Training Room, conducted by Sergeant Corbett. During the briefing Inmate Lagarde's past assault against a female deputy at the North County Correctional Facility was discussed. A note that was passed to Inmate Lagarde from another inmate was also discussed. Deputy [redacted] stated he believed the note contained information indicating Inmate Lagarde was going to assault deputies, producing great bodily harm or possibly killing a deputy sheriff. Deputy [redacted] based his belief upon his training and experience dealing with inmates.

Deputy [redacted] stated once the extraction team was inside Module 1750, Sergeant Corbett asked Inmate Lagarde to exit the cell voluntarily and he refused to cooperate with Sergeant Corbett. Deputy [redacted] stated Sergeant Corbett began the extraction by ordering Supervising Line Deputy [redacted] to deploy the MK-46 into the cell. Deputy [redacted] stated after the MK-46 was deployed, Inmate Lagarde was again asked to voluntarily exit the cell. Deputy [redacted] stated the MK-46 had no effects on Inmate Lagarde as he refused to exit the cell. Deputy [redacted] heard Sergeant Corbett order Deputy [redacted] to deploy a sting ball grenade into the cell. Deputy [redacted] said he saw Deputy [redacted] deploy the sting ball grenade into the cell and it detonated. Deputy [redacted] stated the detonation caused Inmate Lagarde to fall to the floor. Sergeant Corbett then ordered the cell gate opened and deputies [redacted], [redacted], Orrego and himself entered the cell. Deputy [redacted] stated once the cell gate opened Inmate Lagarde stood up.

Deputy [redacted] stated he was the third deputy to enter the cell. He stated he and the other deputies were issuing commands to Inmate Lagarde to stop fighting. Deputy [redacted] said Inmate Lagarde was trying to kick and elbow the deputies inside the cell. Deputy [redacted] said Inmate Lagarde was on the concrete floor while was doing this. Deputy [redacted] said Sergeant Corbett ordered him to use the Taser against Inmate Lagarde. Deputy [redacted] stated due to the close proximity of his fellow deputies he removed the Taser cartridge and used it in a "drive stun" capacity. Deputy [redacted] said he used the Taser in this capacity by applying it against Inmate Lagarde's lower back and activating it. Deputy [redacted] said Inmate Lagarde continued to kick at and try to elbow deputies inside the cell. He said he also saw Inmate Lagarde place one of his hands underneath his chest. Deputy [redacted] believed Inmate Lagarde was attempting to retrieve a weapon from his person.

IAB NOTE: During the interview Deputy [redacted] stated he had personal experience with inmates concealing jail made weapons inside their clothing. Deputy [redacted] stated he had personally retrieved jail made weapons from an inmate's stomach and waistband area.

Deputy [redacted] could not recount the exact number of times he used the Taser in a drive stun capacity against Inmate Lagarde while struggling with him inside the cell. Deputy [redacted] stated at some point Inmate Lagarde was handcuffed inside the cell.

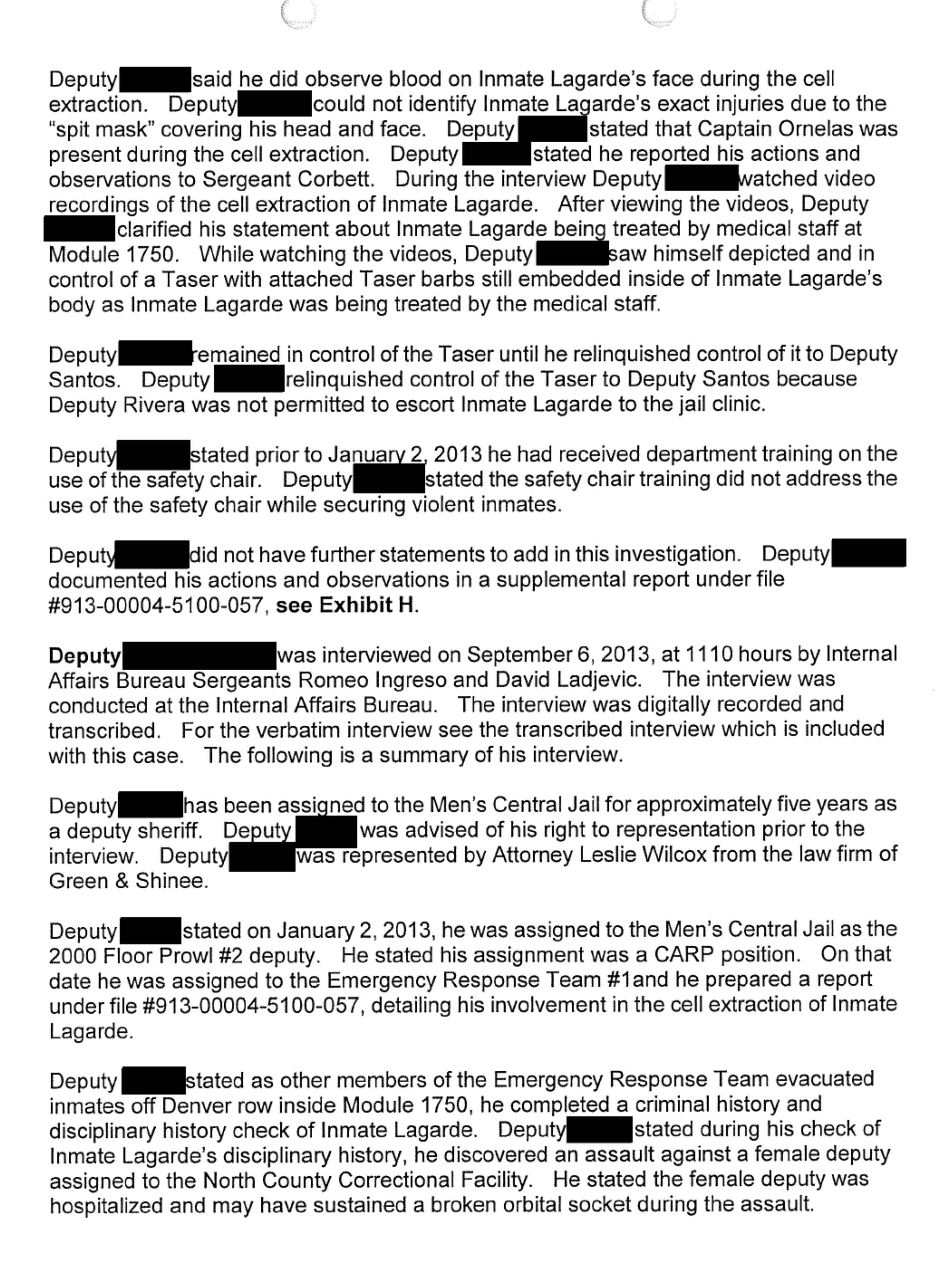
Deputy [redacted] stated he believed the use of the Taser was effective and allowed deputies to physically pull Inmate Lagarde's hands behind his back and handcuff him.

I.A.B. NOTE: At the time the extraction occurred, the issuance of Taser's to Extraction Team members was not archived or recorded by serial number or assignment. After reviewing the printed Taser reports, Sergeant Ingreso could not determine which printed Taser Reports documented the Taser used by Deputy [redacted] The printed Taser reports for the Tasers that were possibly used during this cell extraction were submitted with this case book, **see Miscellaneous Documents**.

Deputy [redacted] stated once Inmate Lagarde was handcuffed, Sergeant Corbett ordered the extraction team to carry him off the row. Deputy [redacted] stated Inmate Lagarde was resisting during this time, kicking and swinging his elbows. Deputy [redacted] stated that although Inmate Lagarde was handcuffed and secured in a "hobble" restraint, he remained assaultive. Deputy [redacted] believed Inmate Lagarde still posed a threat to deputies and was still able to kick and "head butt" deputies. After removing Inmate Lagarde from Denver row, the extraction team attempted to place Inmate Lagarde into a safety chair. Deputy [redacted] said when placing Inmate Lagarde into the safety chair, he began spitting blood at the extraction team. Deputy [redacted] placed one hand on top of his head and the other hand underneath his chin and turned Inmate Lagarde's face away to prevent being spat upon. Deputy [redacted] stated an unknown deputy placed a spit mask over Inmate Lagarde's head.

IAB NOTE: Deputy [redacted] described the "spit mask" as a soft cloth like netting material. He also stated that a person could bite through it.

Deputy [redacted] stated he replaced the cartridge to his Taser and fired it, striking Inmate Lagarde on the right side of his chest. Deputy [redacted] stated the use of the Taser had no effect against Inmate Lagarde. Deputy [redacted] stated although Inmate Lagarde was handcuffed and in a "hobble" restraint he was still attempting to assault deputies. He added Inmate Lagarde was not completely secured into the safety chair when he used the Taser against him. Deputy [redacted] said he heard Deputy Orrego yell he was being bitten by Inmate Lagarde. Deputy [redacted] reactivated the Taser attempting to defend Deputy Orrego. Deputy [redacted] stated he delivered the Taser activations in standard five second increments, waiting for compliance from Inmate Lagarde. Deputy [redacted] stated while he was activating the Taser, he accompanied the activations with verbal commands ordering Inmate Lagarde to stop fighting and biting. Deputy [redacted] stated Inmate Lagarde ignored those commands and continued to fight and bite deputies. Deputy [redacted] delivered approximately 3-5 Taser activations against Inmate Lagarde. Deputy [redacted] stated he believed the use of the Taser eventually allowed deputies to secure Inmate Lagarde into the safety chair.



Deputy [redacted] said he did observe blood on Inmate Lagarde's face during the cell extraction. Deputy [redacted] could not identify Inmate Lagarde's exact injuries due to the "spit mask" covering his head and face. Deputy [redacted] stated that Captain Ornelas was present during the cell extraction. Deputy [redacted] stated he reported his actions and observations to Sergeant Corbett. During the interview Deputy [redacted] watched video recordings of the cell extraction of Inmate Lagarde. After viewing the videos, Deputy [redacted] clarified his statement about Inmate Lagarde being treated by medical staff at Module 1750. While watching the videos, Deputy [redacted] saw himself depicted and in control of a Taser with attached Taser barbs still embedded inside of Inmate Lagarde's body as Inmate Lagarde was being treated by the medical staff.

Deputy [redacted] remained in control of the Taser until he relinquished control of it to Deputy Santos. Deputy [redacted] relinquished control of the Taser to Deputy Santos because Deputy Rivera was not permitted to escort Inmate Lagarde to the jail clinic.

Deputy [redacted] stated prior to January 2, 2013 he had received department training on the use of the safety chair. Deputy [redacted] stated the safety chair training did not address the use of the safety chair while securing violent inmates.

Deputy [redacted] did not have further statements to add in this investigation. Deputy [redacted] documented his actions and observations in a supplemental report under file #913-00004-5100-057, **see Exhibit H**.

Deputy [redacted] was interviewed on September 6, 2013, at 1110 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Deputy [redacted] has been assigned to the Men's Central Jail for approximately five years as a deputy sheriff. Deputy [redacted] was advised of his right to representation prior to the interview. Deputy [redacted] was represented by Attorney Leslie Wilcox from the law firm of Green & Shinee.

Deputy [redacted] stated on January 2, 2013, he was assigned to the Men's Central Jail as the 2000 Floor Prowl #2 deputy. He stated his assignment was a CARP position. On that date he was assigned to the Emergency Response Team #1and he prepared a report under file #913-00004-5100-057, detailing his involvement in the cell extraction of Inmate Lagarde.

Deputy [redacted] stated as other members of the Emergency Response Team evacuated inmates off Denver row inside Module 1750, he completed a criminal history and disciplinary history check of Inmate Lagarde. Deputy [redacted] stated during his check of Inmate Lagarde's disciplinary history, he discovered an assault against a female deputy assigned to the North County Correctional Facility. He stated the female deputy was hospitalized and may have sustained a broken orbital socket during the assault.

Deputy [redacted] stated Inmate Lagarde was considered a danger to other inmates, and both sworn and civilian staff.

Deputy [redacted] said he was inside Module 1750 when the cell extraction took place, but he did not witness the activity inside the cell. Deputy [redacted] stated he was staged inside a landing adjoining Denver row. He added a MK-46 oleoresin capsicum canister and a sting ball grenade were deployed. Although Deputy [redacted] did not observe the use of the MK-46 canister or the sting ball grenade, he recognized this due to the presence of smoke and Deputy [redacted] was having difficulty breathing. Deputy [redacted] was wearing a Class "B" uniform and was not wearing any safety equipment during the cell extraction.

Deputy [redacted] stated after the extraction team removed Inmate Lagarde from the cell, he observed them encountering difficulty as they tried to place into a safety chair. At this point he began to assist members of the extraction team. Deputy [redacted] heard one of the extraction team deputies say Inmate Lagarde was biting and to watch his mouth. Deputy [redacted] stated Inmate Lagarde was thrashing his body about and thrusting his mid-section upward, resisting placement into the safety chair. Deputy [redacted] heard deputies ordering Inmate Lagarde to stop fighting and to stop resisting. Deputy [redacted] stated Inmate Lagarde never complied with the deputies' orders. Deputy [redacted] stated he believed Inmate Lagarde bit Deputy Orrego while Deputy Orrego was trying to place Inmate Lagarde into the safety chair. Deputy [redacted] stated he did not see any deputies strike Inmate Lagarde while in the safety chair and described the event as a struggle. Deputy [redacted] stated he did not strike Inmate Lagarde but did help place his left leg and left arm into the restraint straps of the safety chair. Deputy [redacted] stated when he secured Inmate Lagarde's left arm into the safety chair strap, Inmate Lagarde's left arm was un-handcuffed and being controlled by another deputy. Deputy [redacted] stated Sergeant Corbett, Lieutenant Maldonado and Captain Ornelas were present during the incident.

I.A.B. NOTE: Securing an inmate onto the safety chair requires the inmate's arms be removed from the handcuffs and physically controlled by a deputy. Deputy [redacted] described this process as he explained how he secured Inmate Lagarde's left arm into the safety chair strap.

Deputy [redacted] could not recall specific injuries to Inmate Lagarde, but did witness him receive medical treatment. Deputy [redacted] stated a medical triage team was standing by near Module 1750. Deputy [redacted] said Inmate Lagarde received prompt medical care. During the interview Deputy [redacted] watched video recordings of the cell extraction of Inmate Lagarde. After watching the video recordings, Deputy [redacted] stated he heard himself in one of the video recordings warning other deputies Inmate Lagarde was attempting to bite them. Deputy [redacted] said he escorted Inmate Lagarde to the clinic where he received additional medical treatment. Deputy [redacted] stated Inmate Lagarde was compliant at the clinic and acted as if "nothing happened at all."

Deputy [redacted] did not have further statements to add in this investigation. Deputy [redacted] documented his actions and observations in a supplemental report under file #913-00004-5100-057, **see Exhibit I**.

Deputy [redacted] was interviewed on September 5, 2013, at 1235 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Deputy [redacted] has been assigned to the Men's Central Jail for approximately five years as a deputy sheriff. Deputy [redacted] was advised of his right to representation prior to the interview. Deputy [redacted] was represented by Attorney Leslie Wilcox from the law firm of Green & Shinee.

Deputy [redacted] stated on January 2, 2013, he was assigned to the Men's Central Jail as the 56/59 Title 15 deputy. He stated his assignment was a CARP position. On that date he was assigned to the "Red" Extraction Team and he prepared a report under file #913-00004-5100-057, detailing his involvement in the cell extraction of Inmate Lagarde. Deputy [redacted] said he was assigned the position of "Taser & Capture" deputy on the extraction team. Deputy [redacted] stated his extraction team leader on January 2, 2013 was Sergeant Corbett. Deputy [redacted] stated his extraction team was assigned to extract Inmate Jacob Lagarde from Module 1750, cell Denver #2.

Deputy [redacted] stated prior to the extraction taking place he attended a safety briefing in the 2000 Floor Training Room. Deputy [redacted] stated Sergeant Corbett conducted the briefing and additional sergeants, a captain and a commander may have been present. Deputy [redacted] said during the briefing he was told Inmate Lagarde had assaulted a deputy by gassing earlier that day. He was also made aware of a note that was recovered from Inmate Lagarde. The note indicated Inmate Lagarde was planning on and had the capability to either injure or kill a deputy. Deputy [redacted] believed the threats on the note were credible based upon his experiences and training during his assignment as a jail deputy.

Deputy [redacted] stated prior to the beginning of the cell extraction, Sergeant Corbett provided Inmate Lagarde the opportunity to exit his cell voluntarily. Deputy [redacted] said Inmate Lagarde refused to exit the cell. Deputy [redacted] stated when the extraction occurred he was standing to the right of the cell gate next to Sergeant Corbett. Deputy [redacted] stated Sergeant Corbett called for the deployment of "tear gas." Deputy [redacted] said the "tear gas" had little effect against Inmate Lagarde and only forced him deeper inside his cell. Deputy [redacted] stated the "tear gas" never forced Inmate Lagarde to comply with any orders. After the "tear gas" was deployed Sergeant Corbett called for the deployment of a sting ball grenade.

Deputy [redacted] said deputies Orrego, [redacted], [redacted] and [redacted] entered the cell. Deputy [redacted] stated he remained outside of the cell but saw Inmate Lagarde kneeling

over his toilet as Deputy [redacted] entered. Deputy [redacted] stated Inmate Lagarde used the toilet to propel himself towards Deputy [redacted] feet. Deputy [redacted] stated when Inmate Lagarde lunged at Deputy [redacted] feet, he saw Deputy [redacted] side step him. Deputy [redacted] said his vision was obscured by the amount of smoke emitted by the detonation of the sting ball grenade. Deputy [redacted] stated the smoke lingered on Denver row and into the hallway. Deputy [redacted] stated Inmate Lagarde was eventually handcuffed, placed into a "hobble" restraint and removed from the cell. Deputy [redacted] described the "hobble" restraint and said the "hobble" restraint was secured around Inmate Lagarde's feet and not clipped to the handcuffs. He said this was done to prevent Inmate Lagarde from kicking deputies. Deputy [redacted] stated Inmate Lagarde was not compliant and was kicking, thrashing his body back and forth, swinging his head and kicking his feet up and down, trying to escape the deputies' grasp. Deputy [redacted] stated the floor underneath Inmate Lagarde was concrete. Deputy [redacted] said he placed his right knee on Inmate Lagarde's upper back and applied pressure against him so he could not raise his body up. Deputy [redacted] described the use of his right knee as constant pressure against Inmate Lagarde and stated he did not strike Inmate Lagarde with his knee.

Deputy [redacted] stated Inmate Lagarde was picked up off of the floor and carried to the safety chair where the extraction team attempted to secure him using the straps. Deputy [redacted] stated Inmate Lagarde was not compliant and used his feet to push off of the bottom of the chair, arching his back while swinging his head back and forth. Deputy [redacted] stated the extraction team members were having difficulty controlling Inmate Lagarde. Deputy [redacted] stated he held onto Inmate Lagarde's legs so he could place his legs into the safety chair. Deputy [redacted] stated when he was near Inmate Lagarde's lap he heard a deputy saying "He's biting me, he's biting me." Deputy [redacted] also said Sergeant Corbett directed him to use the Taser against Inmate Lagarde. Fearing he would accidentally strike another deputy, Deputy [redacted] removed the cartridge from the Taser and used it in a "drive" stun capacity. Deputy [redacted] applied the Taser directly into Inmate Lagarde's torso and stomach area. Deputy Jackson warned the other deputies he was going to use the Taser moments prior to applying it. Deputy [redacted] said he may have used the Taser 8-10 times against Inmate Lagarde, and Sergeant Corbett directed approximately half of those uses.

I.A.B. NOTE: At the time the extraction occurred the issuance of Taser's to Extraction Team members was not archived or recorded. Sergeant Ingreso could not determine which printed Taser Reports documented the Taser used by Deputy [redacted] **see Miscellaneous Documents**.

Deputy [redacted] said the use of the Taser had minimal effect against Inmate Lagarde and he does not believe it stopped him from assaulting deputies. Deputy [redacted] stated he and the other deputies eventually overpowered Inmate Lagarde by using their body weight by holding him onto the chair. Deputy [redacted] and another deputy used what he described as 400 pounds of body weight placed on top of Inmate Lagarde's lap to restrain

him. Deputy [redacted] stated the deputies used physical force and constant pressure to eventually secure Inmate Lagarde into the straps of the safety chair.

Deputy [redacted] stated he had received training on the use of the Taser while training in the Los Angeles County Sheriff Academy. He also said he received extraction in-service training at the Men's Central Jail. Deputy [redacted] said he was familiar with the use of the safety chair prior to January 2, 2013. Deputy [redacted] said he attended in-service training at the 2000 Floor training room that familiarized him with the use of the safety chair. Deputy [redacted] stated the safety chair was used to restrain violent inmates who were kicking, biting, punching and violent.

During the interview Deputy [redacted] watched video recordings of the cell extraction of Inmate Lagarde. Deputy [redacted] saw himself depicted in the video recording and identified himself as the deputy wearing helmet #11. Deputy [redacted] clarified the Taser with the attached barbs he observed while watching the video was not the Taser he used.

I.A.B. NOTE: The Taser that had the barbs deployed and embedded into Inmate Lagarde was being used and controlled by Deputy [redacted]

Deputy [redacted] stated during the interview he was presently classified as "Injured on Duty" and was assigned to his house because of the injury. Deputy [redacted] stated he voluntarily agreed to participate in the interview and did not ingest any medication prior to the interview that would prevent him from providing truthful and accurate statements.

Deputy [redacted] documented his actions and observations in a supplemental report under file #913-00004-5100-057, **see Exhibit J**.

Deputy [redacted] was interviewed on September 10, 2013, at 1025 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Deputy [redacted] is currently assigned to patrol at the Compton Sheriff Station and was previously assigned to the Men's Central Jail. Deputy [redacted] was advised of his right to representation prior to the interview. Deputy [redacted] was represented by Attorney Leslie Wilcox from the law firm of Green & Shinee.

Deputy [redacted] stated on January 2, 2013, he was assigned to the Men's Central Jail Training Unit and assigned to an extraction team as a "sting ball" deputy. Deputy [redacted] said his extraction team leader was Sergeant Corbett. Deputy [redacted] stated his extraction team was assigned to extract Inmate Lagarde from module 1750, cell Denver #2. Prior to the extraction taking place, Deputy [redacted] attended a safety briefing in the 2000 Floor Training Room that was led by Sergeants Corbett and Jordan. He said during the briefing he learned of Inmate Lagarde's prior disciplinary and criminal history. Deputy [redacted] stated he was briefed Inmate Lagarde had recently assaulted a female

deputy and caused great bodily injury to her by knocking her unconscious. Deputy [redacted] was also briefed about Inmate Lagarde's arrest charge that alleged he assaulted someone with a Molotov cocktail, setting them afire. Deputy [redacted] also stated he was briefed about a jail made note that was confiscated from Inmate Lagarde's cell. Deputy [redacted] believed the contents of the note insinuated Inmate Lagarde was planning to either injure or kill deputies.

Deputy [redacted] stated he and the extraction team entered module 1750 where Sergeant Corbett spoke with Inmate Lagarde prior to the beginning of the extraction. Deputy [redacted] stated he was present when Sergeant Corbett ordered Inmate Lagarde to allow handcuffs be placed upon him and voluntarily exit the cell. Deputy [redacted] stated Inmate Lagarde refused to comply with Sergeant Corbett's orders. Deputy [redacted] said the extraction began when oleoresin capsicum spray was introduced into the cell. He stated Inmate Lagarde shielded his face with a towel, rendering the oleoresin capsicum spray ineffective. Deputy [redacted] said Sergeant Corbett directed him to deploy a sting ball grenade into the cell. Deputy [redacted] deployed a sting ball grenade into the rear of the cell and it detonated approximately two seconds later.

I.A.B. NOTE: Deputy [redacted] described the sting ball grenade as a diversionary device that emits a loud sound, bright light and small pellets to disorient and/or distract an inmate or violent person. He stated the intended use of the sting ball during this extraction was to momentarily disorient or distract the inmate while the extraction team gained an advantage and resolved the situation.

Deputy [redacted] stated when he deployed the sting ball grenade Inmate Lagarde was standing near the toilet. Deputy [redacted] stated he believed Inmate Lagarde may have been attempting to retrieve a jail made weapon from the toilet when he deployed the sting ball grenade. Deputy [redacted] stated he has personally recovered between 6-12 jail-made weapons and stabbing devices from inside of toilets and underneath toilet rims. Deputy [redacted] stated he remembered the detonation of the sting ball but could not recall if it forced Inmate Lagarde to the ground. He stated the cell gate opened and the shield deputy and the extraction team entered. Deputy [redacted] stated he could not see inside the cell but heard verbal commands being given. He stated the deputies were ordering Inmate Lagarde to stop fighting and to place his hands behind his back. He stated after approximately one minute, he entered the cell and climbed over the bunk to the rear of the cell where he tried to gain control of Inmate Lagarde's legs and apply a hobble restraint. Deputy [redacted] stated he placed his knee and body weight against Inmate Lagarde's right leg, forcing it against the ground. At this time Deputy [redacted] was able to gain control of Inmate Lagarde's ankles and apply a hobble restraint around them. He stated he did this to prevent Inmate Lagarde from standing up and fighting the deputies. Deputy [redacted] said the deployment of oleoresin capsicum spray inside the cell made the floor slick, making it difficult to gain control of Inmate Lagarde.

Deputy [redacted] said once Inmate Lagarde was handcuffed, the extraction team removed him from the cell and attempted to place him onto a safety chair. Deputy [redacted] said he

fed the hobble restraint through the bottom of the safety chair. Deputy [redacted] said inmate Lagarde was so violent and strong he was forced to place both of his legs against the safety chair and use his body weight to pull on the hobble restraint in an attempt to secure his feet. Deputy [redacted] described Inmate Lagarde as violent and assaultive while being placed onto the safety chair. Deputy [redacted] stated Inmate Lagarde was kicking his legs and attempting to stand up. He also said he was thrusting his hips out and back. He said it required several deputies to secure Inmate Lagarde into the safety chair. Deputy [redacted] stated he heard a deputy shouting "He's biting me." He later discovered Deputy Orrego had been bitten.

Deputy [redacted] said he heard the sound of a Taser being activated and saw a spit mask applied over Inmate Lagarde's head. Deputy [redacted] believes the spit mask was applied because Inmate Lagarde was spitting at deputies. Deputy [redacted] said he and the other deputies were afraid Inmate Lagarde would spit blood onto them and infect them with a communicable disease. Deputy [redacted] stated he did not strike inmate Lagarde but only used his body weight and the use of a hobble restraint to restrain Inmate Lagarde. Deputy [redacted] said Inmate Lagarde received treatment from medical staff that were on scene and was then transported to the clinic for additional medical treatment.

Deputy [redacted] stated the extraction team was equipped with helmets with face shields, some of which have a wire grate in the face mask. He said he was also equipped with a gas mask and a stab proof vest. Deputy [redacted] stated some extraction team members may have been wearing shin and elbow guards as well.

During the interview, Deputy [redacted] was allowed to view video recordings of the extraction of Inmate Lagarde. After watching the video recordings, Deputy [redacted] clarified his actions after deploying the sting ball grenade. Deputy [redacted] stated after watching the video recording, he clearly saw himself standing in front of the cell after deploying the sting ball grenade. He stated he appears to be manipulating his equipment and preparing his hobble restraint. Deputy [redacted] also stated Captain Ornelas was present immediately following the extraction. Deputy [redacted] added he received training for the safety chair and the rip hobble restraint during his tenure as a deputy sheriff. Deputy [redacted] stated his training for the safety chair did not address using it to restrain violent or combative inmates, only compliant persons. Deputy [redacted] finally added on January 2, 2013 he was a department force instructor and had completed the department's force instructor school.

Deputy [redacted] documented his actions and observations in a supplemental report under file #913-00004-5100-057, **see Exhibit K**.

Deputy [redacted] was interviewed on September 10, 2013, at 1225 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Deputy [redacted] is currently assigned to the Men's Central Jail. Deputy [redacted] was advised of his right to representation prior to the interview. Deputy [redacted] was represented by Attorney Leslie Wilcox from the law firm of Green & Shinee.

Deputy [redacted] stated on January 2, 2013, he was assigned to the Men's Central Jail as the 3301 Module deputy and assigned to an extraction team as a "shield/hobble" deputy. Deputy [redacted] stated the extraction team was assigned to extract Inmate Jacob Lagarde from Module 1750, cell Denver #2. Prior to the extraction taking place, Deputy [redacted] attended a safety briefing in the 2000 Floor Training Room. He said the briefing was led by Sergeant Corbett. Deputy [redacted] said during the briefing he learned of a note that was passed to Inmate Lagarde. Deputy [redacted] stated he believed the contents of the note indicated Inmate Lagarde was going to kill any deputy who attempted to extract him from the cell. Deputy [redacted] was also briefed about Inmate Lagarde's prior jail disciplinary history. Deputy [redacted] stated during the safety briefing, it was explained Inmate Lagarde had previously severely assaulted a female deputy at North Facility. Deputy [redacted] stated the extraction team was equipped with gas masks, helmets, safety vests and latex gloves.

Deputy [redacted] stated when the extraction team arrived at Module 1750, Sergeant Corbett provided Inmate Lagarde the opportunity to be handcuffed and exit the cell voluntarily. Deputy [redacted] stated Inmate Lagarde refused to cooperate with Sergeant Corbett. Both he and Deputy [redacted] placed their shields against the cell gate to prevent Inmate Lagarde from "gassing" them. Deputy [redacted] saw Inmate Lagarde standing in the rear of the cell fully clothed in an orange jump suit, maintaining a fighting stance. Deputy [redacted] heard Sergeant Corbett order Deputy [redacted] to deploy the MK-46 oleoresin capsicum spray into the cell. Deputy [redacted] deployed the MK-46 into the cell. Deputy [redacted] said the chemical agents had minimal to no effect against Inmate Lagarde. Deputy [redacted] stated Inmate Lagarde did not cough or sneeze and he stood in the cell as if the chemical agents had not been deployed. Deputy [redacted] said after the chemical agents were deployed, Inmate Lagarde refused to voluntarily exit his cell. Deputy [redacted] said Inmate Lagarde walked to the toilet and appeared to be reaching into it. Deputy [redacted] stated he believed Inmate Lagarde was reaching into the toilet to retrieve a weapon to assault the extraction team. Deputy [redacted] stated he based this belief upon his six years of assignments at the Men's Central Jail and added he has personally found jail made weapons inside toilets.

After Inmate Lagarde reached into the toilet he heard Sergeant Corbett order the deployment of a sting ball grenade. He said Deputy [redacted] deployed a sting ball grenade into the cell and it detonated near the toilet. Deputy [redacted] said the sting ball grenade detonation caused Inmate Lagarde to fall face down onto the floor just beneath the cell stool. Sergeant Corbett ordered the cell gate be opened and the extraction team made entry. Deputy [redacted] said deputies [redacted] Orrego and [redacted] entered the cell. Deputy [redacted] stated as the extraction team entered the cell, Inmate Lagarde stood up.

IAB NOTE: As Deputy [redacted] was explaining how the extraction team made entry, he also described how Inmate Lagarde readied himself in a "boxer's" stance.

Deputy [redacted] brought his fist to his chest and physically demonstrated the stance Inmate Lagarde took as the entry occurred.

Deputy [redacted] stated when the extraction team entered the cell, he saw Inmate Lagarde fall to the ground again. He stated when Inmate Lagarde went to the ground, deputies were trying to control his hands. He also stated the deputies were giving Inmate Lagarde commands to stop fighting. Deputy [redacted] stated Inmate Lagarde was violently swinging his elbows and kicking at the deputies inside the cell. Deputy [redacted] said he saw Inmate Lagarde spitting at the deputies as well. Deputy [redacted] stated he entered the cell and tried to control Inmate Lagarde's head by holding onto his collar, holding him in place. Deputy [redacted] said Inmate Lagarde was violently moving his body around inside the cell.

Deputy [redacted] stated Inmate Lagarde was lying just underneath the base of the cell stool that had bolts protruding from it. Deputy [redacted] believes Inmate Lagarde may have struck his head on these bolts while he struggled with deputies. Deputy [redacted] said he observed blood dripping from Inmate Lagarde's face, onto the floor. He believed the blood may have been dripping from Inmate Lagarde's nose. Deputy [redacted] found it very difficult to control Inmate Lagarde's head. Deputy [redacted] stated Inmate Lagarde kept saying "fuck you" as the struggle continued. Deputy [redacted] stated Inmate Lagarde broke free from his grip and it required the weight of three deputies to control him. Deputy [redacted] stated he did not strike Inmate Lagarde at any time while he was inside the cell. Deputy [redacted] stated Inmate Lagarde was eventually handcuffed and a hobble restraint applied to his feet.

Sergeant Corbett ordered the extraction team to remove Inmate Lagarde from the cell and place him onto a safety chair. Deputy [redacted] said he assisted other extraction team members carry Inmate Lagarde by lifting his upper torso off of the ground. Deputy [redacted] said Inmate Lagarde was spitting blood at the deputies and resisted being placed into the safety chair. Deputy [redacted] stated an unknown deputy placed a spit mask over Inmate Lagarde's head. Deputy [redacted] said he heard a Taser being activated, but did not know who was using it. Deputy [redacted] said he placed his right knee over Inmate Lagarde's right thigh to prevent him from standing up and getting out of the safety chair. Deputy [redacted] said he only used his body weight against Inmate Lagarde and did not strike him with his knees. Deputy [redacted] said Inmate Lagarde thrust his torso up and arched his back, forcing him off of his right thigh several times. Deputy [redacted] said he reported his actions and observations to Sergeant Corbett.

Deputy [redacted] said after Inmate Lagarde was secured into the safety chair, Inmate Lagarde received medical attention. Deputy [redacted] stated the medical staff was present at the module at the conclusion of the incident

During the interview Deputy [redacted] was allowed to watch a video recording of the cell extraction of Inmate Lagarde. Deputy [redacted] did not wish to clarify any of his prior statements or report after viewing the video recording. Deputy [redacted] stated he received training in the use of the safety chair prior to January 2, 2013. He stated the

safety chair was used to restrain assaultive inmates and inmates that needed to be mentally evaluated.

Deputy [redacted] documented his actions and observations in a supplemental report under file #913-00004-5100-057, **see Exhibit L**.

Deputy Mizrain Orrego was interviewed on September 10, 2013, at 1115 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Deputy Orrego is currently assigned to the Men's Central Jail. Deputy Orrego was advised of his right to representation prior to the interview. Deputy Orrego was represented by Attorney Leslie Wilcox from the law firm of Green & Shinee.

Deputy Orrego stated on January 2, 2013, he was assigned to the Men's Central Jail as the 51-54 Title 15 Deputy and assigned to the "Green" Extraction Team as a capture deputy. Deputy Orrego stated the extraction team was assigned to extract Inmate Jacob Lagarde from Module 1750, cell Denver #2. Prior to the cell extraction taking place, Deputy Orrego attended a safety briefing that was held in the 2000 Floor Training Room. Deputy Orrego said Sergeants Corbett and Jordan conducted the briefing. During the briefing, Deputy Orrego was briefed about Inmate Lagarde's disciplinary history including prior assaults against deputies and his criminal history. He was also made aware of Inmate Lagarde's inmate classification as a K-10 inmate. Deputy Orrego stated inmates classified as K-10 inmates are violent. Deputy Orrego was also briefed about a jail note that was confiscated from Inmate Lagarde's cell. The jail note read if Inmate Lagarde carried out his actions against deputies, he would be sentenced to life. Deputy Orrego said because of Inmate Lagarde's past violence against deputies and his status as a K-10 inmate, he became fearful of what may occur during the extraction. Deputy Orrego said the extraction team was equipped with helmets, gas masks and safety vests.

Deputy Orrego said once the extraction team was inside Module 1750, they were reminded by Sergeant Corbett to follow his commands and use a reasonable amount of force needed to control Inmate Lagarde. Deputy Orrego said Sergeant Corbett provided Inmate Lagarde many opportunities to exit the cell voluntarily. Deputy Orrego stated Inmate Lagarde never complied with Sergeant Corbett's orders. After Inmate Lagarde refused to comply, Sergeant Corbett directed Deputy [redacted] to saturate the interior of the cell with oleoresin capsicum spray dispensed from a MK-46 canister. After Deputy [redacted] saturated the cell, Inmate Lagarde was again given the opportunity to exit the cell voluntarily. Inmate Lagarde refused to comply and remained inside the cell.

Deputy Orrego said Inmate Lagarde walked to the back of the cell near the toilet. Deputy Orrego saw Inmate Lagarde bend down over the toilet. Deputy Orrego believed Inmate Lagarde was retrieving a weapon from inside the toilet. Deputy Orrego said he based this belief upon his training and experience and said he has personally retrieved weapons

from toilets. Deputy Orrego stated Sergeant Corbett ordered a sting ball grenade be deployed into the cell. Once the sting ball grenade was deployed, Deputy Orrego saw Inmate Lagarde place his hands over his ears. Deputy Orrego stated when the sting ball detonated, the cell gate opened and Inmate Lagarde took a "fighting stance."

I.A.B. NOTE: Deputy Orrego physically demonstrated the fighting stance during the interview by blading his right shoulder blade back and bringing both hands to his chest, resembling the stance of a boxer.

Deputy Orrego stated when Deputy [redacted] entered the cell, Inmate Lagarde moved towards him. Deputy [redacted] deflected Inmate Lagarde causing him to fall to the floor. Deputy Orrego immediately knelt down onto one knee and attempted to handcuff Inmate Lagarde. Deputy Orrego was attempting to place Inmate Lagarde's left arm behind his back, when Inmate Lagarde grabbed his right "pinky" finger, bending it as if trying to break it. Inmate Lagarde was shouting profanity as he attempted to break Deputy Orrego's finger. Deputy Orrego ordered Inmate Lagarde to release his finger and then struck him on left shoulder 2-3 times with his left fist. Deputy Orrego said the fist strikes caused Inmate Lagarde to release the grip on his finger. Deputy Orrego also said Inmate Lagarde attempted to bite him on his left knee during the struggle. Deputy Orrego stated he was ordering Inmate Lagarde to place his hands behind his back the entire time. Deputy Orrego stated Inmate Lagarde turned to his right in a fetal like position and began kicking at him. Deputy Orrego stated Deputy [redacted] and Deputy [redacted] assisted him restraining Inmate Lagarde. Deputy Orrego was able to control his left arm and handcuff him. Sergeant Corbett called for a hobble restraint and Deputy [redacted] entered the cell. Deputy [redacted] placed a hobble restraint around Inmate Lagarde's ankles.

Deputy Orrego said Inmate Lagarde was telling members of the extraction team he was going to kill them as they placed him onto the safety chair. Deputy Orrego said Inmate Lagarde was very violent and was shouting profanity. Deputy Orrego also said Inmate Lagarde was spitting at deputies as they placed him onto the safety chair. Deputy Orrego said as the extraction team placed Inmate Lagarde onto the safety chair, Inmate Lagarde bit him on his right elbow. Deputy Orrego reacted by pulling his elbow away from Inmate Lagarde. Deputy Orrego said an unknown deputy placed a spit mask over Inmate Lagarde's head to prevent him from spitting deputies. Deputy Orrego said Inmate Lagarde was bleeding from his mouth and he was concerned he may spit blood onto the extraction team. Deputy Orrego said Inmate Lagarde was shaking his body violently, attempting to stand up and kept yelling he was going to kill the deputies. Deputy Orrego said after the spit mask was placed over Inmate Lagarde's head, Inmate Lagarde bit through the spit mask and onto Deputy Orrego's left wrist. Deputy Orrego reacted by pulling away his wrist and he immediately struck Inmate Lagarde on his face with his right elbow approximately 3-4 times.

The elbow strikes Deputy Orrego delivered caused Inmate Lagarde to stop biting him. Deputy Orrego stated when he was placing the safety chair restraint straps strap over Inmate Lagarde's shoulders; Inmate Lagarde bit him again on his right wrist through the

spit mask. Deputy Orrego again reacted by punching Inmate Lagarde's face once with a closed fist. Again the punch caused Inmate Lagarde to stop biting Deputy Orrego.

Deputy Orrego sustained bite marks and impressions to both wrists and his elbow. He was transported to the Temple Medical Center and treated for his injuries. He was prescribed a medication to counteract and prevent the transmission of the Human Anti-Body Virus.

I.A.B. NOTE: Deputy Orrego could not recall the clinical name of the medication prescribed to him.

Deputy Orrego said he was unable to work for approximately one week due to the side-effects of the medication. Deputy Orrego said he experienced dizziness, nausea, diarrhea and loss of appetite while taking the prescribed medication.

During the interview, Deputy Orrego was allowed to watch a video recording of the cell extraction of Inmate Lagarde. After viewing the video Deputy Orrego saw himself depicted in the video, delivering a single punch to Inmate Lagarde's face. Deputy Orrego stated this is the moment he clarified in his supplemental report on page 3. Deputy Orrego stated the elbow strikes he delivered and documented in his supplemental report was not captured on video.

I.A.B. NOTE: Deputy Orrego initially documented an elbow strike in his supplemental report he completed on January 4, 2013. On January 4, 2013 at approximately 1215 hours, Sergeant Corbett provided Deputy Orrego the video admonishment per the Manual of Policy and Procedures. After Deputy Orrego watched a video recording of the cell extraction of Inmate Lagarde, he realized he had punched him once with his right fist rather than deliver an elbow strike. He documented and clarified this discrepancy on page 3 of his supplemental report.

Deputy Orrego stated that medical personnel were present at Module 1750 following the extraction of Inmate Lagarde. He also stated Captain Ornelas was present during the extraction. Deputy Orrego said he had received prior training on the use of the safety chair from the training staff.

Deputy Orrego documented his actions and observations in a supplemental report under file #913-00004-5100-057, **see Exhibit M**.

EMPLOYEE WITNESSES

Commander Ralph Ornelas was interviewed on September 24, 2013, at 1110 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and Lieutenant Todd Weber. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Commander Ornelas was the unit commander of the Men's Central Jail on January 2, 2013. Commander Ornelas voluntarily participated in the interview without the presence of an attorney or any legal representation.

Commander Ornelas stated on January 2, 2013 he was assigned to the Men's Central Jail as the unit commander, Captain. Commander Ornelas stated on January 2, 2013 he was notified by Lieutenant Albert Maldonado about an assault against a deputy assigned to Module 1750 by Inmate Lagarde. Lieutenant Maldonado requested the approval to conduct a calculated cell extraction of Inmate Jacob Lagarde. Commander Ornelas stated he approved the cell extraction. Commander Ornelas provided a detailed explanation of the negotiation phase of the extraction. He stated the Jail Mental Evaluation Team, a chaplain, medical personnel and the watch commander all spoke with Inmate Jacob Lagarde, trying to persuade him to exit the cell voluntarily. Commander Ornelas stated he personally spoke with Inmate Lagarde during the negotiation phase. Captain Ornelas stated Inmate Lagarde refused to comply with any of his requests or commands.

Prior to the extraction, Commander Ornelas attended a safety briefing inside the 2000 Floor Training Room. Captain Ornelas stated during the briefing extraction team members were assigned their individual duties and briefed about how their duties were to be accomplished. Commander Ornelas stated the briefing was led by Sergeant Corbett and also attended by Lieutenant Maldonado.

Commander Ornelas stated prior to the extraction, inmates on Denver Row were removed from their cells to avoid exposing them to the use of chemical agents. He also said the Jail Mental Evaluation Team, a chaplain and medical personnel were present when the extraction began. Commander Ornelas said the extraction team was staged in two separate groups, one group to the left of cell Denver #2, the other to the right of the cell. Commander Ornelas stated Sergeant Corbett tried to gain compliance from Inmate Lagarde one final time just prior to starting the extraction. Inmate Lagarde refused to cooperate with Sergeant Corbett's request and commands. Commander Ornelas stated once the cell extraction began, Sergeant Corbett called for the deployment of chemical agents and a sting ball grenade. Commander Ornelas stated Inmate Lagarde held a wet towel over his face to escape the effects of the chemical agents. After the sting ball grenade detonated, Sergeant Corbett ordered the cell gate open and the extraction team entered. Commander Ornelas stated Inmate Lagarde was guided to the ground by a deputy using a shield. He also heard Sergeant Corbett directing the use of a Taser. Commander Ornelas stated the extraction team carried Inmate Lagarde, who was handcuffed and hobbled to a safety chair. Commander Ornelas stated Inmate Lagarde was fighting the deputies by kicking his feet and thrashing his body.

Commander Ornelas stated Inmate Lagarde was still fighting against the deputies when they were placing him onto the safety chair. He said when Deputy Orrego was securing a strap on the safety chair, Inmate Lagarde bit him. Commander Ornelas ordered Sergeant Corbett to direct a deputy to use a Taser against Inmate Lagarde. Commander

Ornelas said Inmate Lagarde was trying to "head butt" deputies as they placed him onto the safety chair. Commander Ornelas stated Deputy Orrego was bitten two, possibly three times and received medical treatment for his injuries. Commander Ornelas stated Inmate Lagarde received immediate medical treatment from awaiting medical personnel who were present. He also stated the operation was debriefed, however he was unsure of the time and location of the debriefing.

Commander Ornelas emphasized he was proud of the manner in which the deputies and Sergeant Corbett acted and performed their duties during the extraction. During the interview Commander Ornelas was allowed to watch several video recordings, each depicting the negotiation process and the cell extraction of Inmate Lagarde. After watching the video recordings, he briefly summarized what he observed while watching the video recordings, including the moments when Deputy Orrego punched Inmate Lagarde. Commander Ornelas also described the negotiation process as part of the department's "Force Prevention" policy. Commander Ornelas also described how Sergeant Corbett prevented members of the extraction team from escorting Inmate Lagarde to the jail clinic.

Commander Ornelas summarized his interview by stating Sergeant Corbett and the members of the extraction team acted professionally and displayed great restraint during the incident.

Commander Ornelas submitted a written memorandum authored by Liuetenant Tracy Stewart documenting the cell extraction. Commander Ornelas submitted the memorandum to Chief Alexander Yim on January 2, 2013, **see Exhibit N**.

Lieutenant Albert Maldonado was interviewed on October 2, 2013, at 1148 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Men's Central Jail. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Lieutenant Maldonado was the watch commander of the Men's Central Jail on January 2, 2013 during the AM shift. Lieutenant Maldonado voluntarily participated in the interview without the presence of an attorney or any legal representation.

Lieutenant Maldonado was notified during the early portion of his shift that Deputy Jason Rivera had been assaulted by Inmate Lagarde. Lieutenant Maldonado stated the assault was a "gassing." Lieutenant Maldonado was notified of the assault by Sergeant James Jordan. Sergeant Jordan requested Inmate Lagarde be the subject of a calculated cell extraction. Lieutenant Maldonado stated the location of Inmate Lagarde's cell and his violent behavior presented a danger to deputies assigned to Module 1750 and prevented them from conducting normal module operations.

Prior to the cell extraction taking place, Lieutenant Maldonado and Captain Ornelas both attempted to gain compliance from Inmate Lagarde. Lieutenant Maldonado also

described the involvement of the Jail Mental Evaluation Team, a chaplain and medical personnel; all who attempted to persuade Inmate Lagarde to exit the cell voluntarily. Lieutenant Maldonado personally spoke with Inmate Lagarde in an attempt to persuade him to exit the cell voluntarily. Lieutenant Maldonado described Inmate Lagarde as defiant and determined not to exit the cell.

Lieutenant Maldonado stated prior to the commencement of the extraction, Sergeant Corbett lead a safety briefing inside the 2000 Floor Training Room. During the briefing cell extraction team assignments and responsibilities were discussed, along with a plan to have Inmate Lagarde medically treated following the extraction. Lieutenant Maldonado, who was present at the safety briefing, also stated part of the plan was to have Sergeant Corbett also attempt to persuade Inmate Lagarde to exit the cell voluntarily.

Lieutenant Maldonado stated he was behind a glass window on the catwalk of the row when the extraction began. Lieutenant Maldonado stated he heard members of the extraction team shouting commands as the extraction took place. He stated he approved the deployment and use of several special weapons including the sting ball grenade, oleoresin capsicum spray and a 40mm shoulder fire weapon. Lieutenant Maldonado stated as the watch commander he did not witness any improper actions or any actions that could have been performed differently during the extraction. Lieutenant Maldonado stated Inmate Lagarde received immediate medical attention by medical personnel who were staged just outside Module 1750. Lieutenant Maldonado said the presence of medical personnel were part of the extraction planning process.

Lieutenant Maldonado stated several deputies were injured during the cell extraction and one was bitten several times. Lieutenant Maldonado stated the operation was debriefed and the use of the safety chair was discussed and critiqued. Lieutenant Maldonado stated he was the incident commander during the cell extraction however Captain Ornelas was present as well.

Sergeant James Jordan was interviewed on October 3, 2013, at 1055 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Men's Central Jail. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Sergeant Jordan was the Module 1750 Floor Sergeant on January 2, 2013, during the AM shift. Sergeant Jordan voluntarily participated in the interview without the presence of an attorney or any legal representation.

On January 2, 2013, Sergeant Jordan was notified Deputy Jason Rivera was assaulted by "gassing." Sergeant Jordan said Deputy Jason Rivera told him Inmate Lagarde threw a carton of fluid on him as he was conducting shower operations on Denver Row. Sergeant Jordan saw that Deputy Jason Rivera's uniform shirt was wet and asked him if he had any additionally injuries. Sergeant Jordan notified the watch commander, Lieutenant Maldonado of the assault against Deputy Jason Rivera. Sergeant Jordan

stated Inmate Lagarde's presence and location of his cell prevented deputies from conducting normal module operations. Sergeant Jordan stated he and Lieutenant Maldonado discussed the possibility of extracting Inmate Lagarde. After lengthy discussion, Sergeant Jordan and Lieutenant Maldonado determined Inmate Lagarde should be extracted from the cell. Sergeant Jordan stated eventually Captain Ornelas approved the cell extraction.

Prior to the cell extraction, Sergeant Jordan was monitoring Inmate Lagarde through a window along the cat walk of Denver Row. He saw another inmate pass Inmate Lagarde a small a note. Inmate Lagarde read the note and returned it to the inmate who had passed it to him. The inmate placed the note into a trash bag attached to his cell gate. After the remaining inmates along Denver Row were evacuated, Sergeant Jordan recovered the note from the trash bag. Sergeant Jordan said the note contained verbiage he believed indicated Inmate Lagarde was planning to assault deputies who were to carry out the extraction.

I.A.B. NOTE: The note Sergeant Jordan recovered was retained and booked as evidence. This was documented in a criminal report authored by Deputy Cecilio Felix, see **Exhibit T**.

Sergeant Jordan said the Jail Mental Evaluation Team, Captain Ornelas and a chaplain attempted to persuade Inmate Lagarde to voluntarily exit the cell. Sergeant Jordan said the negotiations between the Jail Mental Evaluation Team, Captain Ornelas, the chaplain and Inmate Lagarde were video recorded. Sergeant Jordan stated he personally spoke with Inmate Lagarde in an attempt to persuade him to exit the cell voluntarily. Sergeant Jordan stated Inmate Lagarde refused to cooperate with him and remained inside the cell.

Sergeant Jordan said he and Sergeant Corbett conducted a safety briefing prior to the extraction. Sergeant Jordan stated he was responsible for briefing intelligence information and Sergeant Corbett was responsible for briefing the tactics to be used. Sergeant Jordan stated he read the note he recovered verbatim during the briefing and he believed the extraction team interpreted its contents as a threat against deputies.

Sergeant Jordan stated when the cell extraction began, he was standing in the main hallway outside of Denver row. He said Sergeant Corbett made a final attempt to persuade Inmate Lagarde to exit the cell voluntarily. After Inmate Lagarde refused to exit the cell, chemical agents and a sting ball were deployed. Sergeant Jordan did not witness the activity inside the cell as the extraction took place. Sergeant Jordan said exposure to the chemical agents caused him to retreat and vomit in a trash can farther away from the row. Sergeant Jordan stated Inmate Lagarde received medical treatment from medical personnel inside Module 1750. He accompanied Inmate Lagarde to the Men's Central Jail clinic and eventually to the Los Angeles County Medical Center for additional treatment. Sergeant Jordan stated Deputy Orrego was bitten by Inmate Lagarde during the extraction and transported to a local medical center for treatment.

Sergeant Jordan stated Deputy Orrego was prescribed medication to prevent the transmission of the Human Antibody Virus.

Sergeant Jordan stated Deputy Jason Rivera never confronted Inmate Lagarde after being assaulted. Sergeant Jordan also stated Deputy Jason Rivera did not participate in the cell extraction. Sergeant Jordan stated Lieutenant Maldonado and Captain Ornelas were both inside Module 1750 when the extraction occurred.

Sergeant Jordan documented his actions and observations in a supplemental report under file #913-00004-5100-057, **see Exhibit O**.

Sergeant Brendan Corbett was interviewed on October 3, 2013, at 1125 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Men's Central Jail. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Sergeant Corbett was assigned to the 3000 Floor as a Sergeant on January 2, 2013, during the AM shift. Sergeant Jordan voluntarily participated in the interview without the presence of an attorney or any legal representation.

Prior to discussing the extraction of Inmate Lagarde, Sergeant Corbett explained his prior tactical experience and assignments. Sergeant Corbett stated in 1997 he was assigned to the Special Enforcement Bureau as a canine handler where he conducted tactical area searches. In 2001, he was assigned to the "Red" Special Weapons Team and held the positions of both "back-up scout" and "scout." While assigned to the special weapons team he conducted training for hostage rescues, barricaded suspects and high risk warrant services. As a "scout" he was responsible for devising and implementing tactical plans to resolve high risk operations. His duties as a "scout" also included the assignment of personnel, equipment choice and how tactical plans were to be accomplished.

On January 2, 2013, Sergeant Corbett was contacted by Sergeant Jordan who notified him about the pending cell extraction of Inmate Jacob Lagarde. During the evacuation process of inmates housed in Module 1750 Denver row, Sergeant Jordan discovered a note that was given to Inmate Lagarde by another inmate. Sergeant Corbett believed the note indicated Inmate Lagarde was planning on killing or assaulting a deputy during the cell extraction. Sergeant Corbett stated the cell extraction was deemed "calculated" and Captain Ornelas was notified of the incident. Sergeant Corbett stated the positioning of Inmate Lagarde's cell allowed him control and access of deputies and inmates along Denver row, and this was considered when Captain Ornelas approved the cell extraction. Prior to the cell extraction other inmates housed on Denver row were evacuated to avoid exposing them to chemical agents that were possibly going to be deployed during the extraction.

Prior to the cell extraction Sergeant Corbett participated in a safety briefing. He was responsible for briefing individual tactical assignments and briefing the overall tactical plan. Sergeant Corbett stated Captain Ornelas and Commander Pietrantoni were present when the tactical plan was briefed. Sergeant Corbett also stated Sergeant Jordan briefed the extraction team about the note he recovered while evacuating inmates off of Denver row. Sergeant Corbett stated he and his extraction team believed the contents of the note were a credible threat against deputies. Sergeant Corbett stated he was aware of Inmate Lagarde's criminal and jail disciplinary history. Sergeant Corbett stated he believed Inmate Lagarde was capable of carrying out his threats and was extremely "volatile." Sergeant Corbett stated Deputy Jason Rivera did not participate in the cell extraction of Inmate Lagarde. Sergeant Corbett described the cell extraction as a tactical operation and believed Deputy Jason Rivera would have been too emotionally involved to participate.

Sergeant Corbett spoke with Inmate Lagarde prior to the beginning of the cell extraction. Sergeant Corbett described attempting to convince Inmate Lagarde to voluntarily exit the cell. Sergeant Corbett said while they spoke, Inmate Lagarde's speech was very strong and his body was rigid. Sergeant Corbett stated Inmate Lagarde was determined not to exit the cell voluntarily and acted as if he was preparing for a fight. Sergeant Corbett said he would leave Inmate Lagarde alone at times during the negotiation process so he could consider exiting his cell voluntarily. Sergeant Corbett also stated he also had a deputy ready to accept and handcuff Inmate Lagarde if he chose to exit the cell. Sergeant Corbett stated Inmate Lagarde never volunteered to exit the cell.

In the moments leading up to the cell extraction, Sergeant Corbett continued to negotiate with Inmate Lagarde and believed the presence of the extraction team wearing safety equipment was a show of force. Sergeant Corbett believed this show of force may convince Inmate Lagarde to surrender. Inmate Lagarde refused to exit the cell, even in the presence of a fully equipped extraction team. Sergeant Corbett stated the extraction team entered the row in two separate elements. Sergeant Corbett ordered Deputy [redacted] to deploy oleoresin capsicum spray in a circular pattern into the cell. Inmate Lagarde held a towel over his face to defeat the presence of the chemical agents. Sergeant Corbett directed Deputy [redacted] to spray the oleoresin capsicum spray directly in the face of the Inmate Lagarde. Inmate Lagarde defeated this application by shielding his face with a towel. Sergeant Corbett said Inmate Lagarde retreated to the rear of the cell near the toilet. Sergeant Corbett said based upon the note that was recovered earlier and his violent history, he believed Inmate Lagarde was trying to arm himself.

Sergeant Corbett stated he ordered Deputy [redacted] to immediately deploy a sting ball grenade into the rear of the cell. Sergeant Corbett believed the detonation of the sting ball would prevent Inmate Lagarde from arming himself and allow his extraction team to safely enter the cell. Sergeant Corbett said he believed this was a "window" of opportunity he may not have again if he did not act immediately. After the detonation of the sting ball grenade Sergeant Corbett ordered the cell gate open and the extraction team entered the cell. Inmate Lagarde jumped towards Deputy [redacted] feet and struck his face on bolts that affixed a stool to the cell wall. Inmate Lagarde was lying on

his stomach with his hands underneath him. Sergeant Corbett stated deputies were ordering Inmate Lagarde to stop fighting and surrender. Sergeant Corbett stated Inmate Lagarde refused to comply with their orders and never gestured as if he were submitting. Sergeant Corbett stated when Inmate Lagarde was kicking, he directed Deputy [redacted] to use a Taser against Inmate Lagarde. Deputy [redacted] used a Taser in the "drive stun" capacity against Inmate Lagarde's torso. Sergeant Corbett stated Inmate Lagarde still did not have any reaction to the chemical agents or Taser and kept thrashing his head and body around inside the cell. The use of the Taser caused Inmate Lagarde to scream and yell but did not result in immediate compliance. Sergeant Corbett also stated Deputy [redacted] struck Inmate Lagarde's torso with his fists several times. This combined with the use of the Taser allowed the extraction team to finally handcuff and apply a "hobble" restraint upon Inmate Lagarde. Deputy [redacted] applied the hobble restraint at the direction of Sergeant Corbett.

Once Inmate Lagarde was handcuffed, Sergeant Corbett ordered the extraction team to carry him a short distance to a safety chair that was staged near Denver row. Sergeant Corbett stated inmate Lagarde began "kipping" his hips up straightening out his body, preventing the extraction team from placing him onto the safety chair.

I.A.B. NOTE: "Kipping" is a term used in several exercise communities. "Kipping" is the term used to describe forcefully thrusting the hips forward, generating momentum both forward and back.

Inmate Lagarde was also spitting and biting at the deputies attempting to place him onto the safety chair. Sergeant Corbett stated Deputy Orrego was bitten two to three times by Inmate Lagarde. Sergeant Corbett ordered Deputies [redacted] and [redacted] both to use Tasers against Inmate Lagarde. Sergeant Corbett stated he believed the use of Tasers was the best method to gain compliance from Inmate Lagarde. Deputy [redacted] attempted to use his Taser in a drive stun capacity but it malfunctioned. Sergeant Corbett stated Deputy [redacted] armed his Taser with a "probe" cartridge and used it against inmate Lagarde. Sergeant Corbett stated the use of the "probe" cartridge finally gained compliance from Inmate Lagarde. Sergeant Corbett stated Inmate Lagarde was bleeding from his face while spitting and biting at deputies. A member of the extraction team placed a "spit mask" over Inmate Lagarde's head. Sergeant Corbett stated Deputy Orrego punched Inmate Lagarde the moment he was bitten.

I.A.B. NOTE: Sergeant Corbett physically demonstrated how Deputy Orrego punched Inmate Lagarde by using his right arm to deliver a quick punch, mimicking a flinching reaction.

Sergeant Corbett stated Captain Ornelas was present during the extraction. Sergeant Corbett stated the combination of the chemical agents and smoke from the sting ball grenade, forced surrounding deputies to vacate the area.

I.A.B. NOTE: Only members of the "Green" Extraction team were issued gas masks, assisting deputies and supervisors were affected by the presence of the smoke and chemical agents.

Sergeant Corbett stated during the incident, Captain Ornelas directed him to make use of a Taser. Sergeant Corbett informed Captain Ornelas a Taser was being deployed at that time. Sergeant Corbett believes Captain Ornelas may have felt the effects of the chemical agents and was unaware Sergeant Corbett had already directed a deputy to use a Taser against Inmate Lagarde. Sergeant Corbett stated Deputy Orrego was bitten three times during the extraction. Deputy Orrego was transported to Temple Medical Center for medical treatment. Sergeant Corbett stated Inmate Lagarde was provided medical care immediately. Inmate Lagarde was escorted to the jail clinic by deputies that did not participate in the cell extraction. Sergeant Corbett stated the cell extraction was debriefed approximately thirty minutes after the extraction. During the debriefing the use of the safety chair was critiqued and discussed.

During the interview Sergeant Corbett was allowed to view a video recording of the cell extraction of Inmate Lagarde. After viewing the video Sergeant Corbett clarified the "spit mask" was placed onto Inmate Lagarde as he was being placed onto the safety chair. Sergeant Corbett added he believed the members of his extraction team acted professionally and carried out the tactical plan appropriately. Sergeant Corbett did not witness any actions that caused him concern as the "Green" Extraction Team leader or as a Department supervisor.

Sergeant Corbett documented his actions and observations in a supplemental report under file #913-00004-5100-057, **see Exhibit P**.

Deputy Matthew Newhouse was interviewed on September 6, 2013, at 1040 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Deputy Newhouse is currently assigned to the Men's Central Jail. Deputy Newhouse was advised of his right to representation prior to the interview. Deputy Newhouse was represented by Attorney Leslie Wilcox from the law firm of Green & Shinee. Deputy Newhouse stated on January 2, 2013 he was assigned to the Men's Central Jail, as a Module 1700-1750 deputy. Deputy Newhouse described Modules 1700 and 1750 as single person cells that housed prison gang, high profile and assaultive high-risk inmates. Deputy Newhouse stated inmates housed in modules 1700-1750 are searched and waist chained prior to exiting a cell. Deputy Newhouse stated these security measures are in place because high-power inmates are considered dangerous to staff and other inmates.

He stated he was present inside Module 1750 when Inmate Lagarde was extracted from cell #D-2. Deputy Newhouse stated he witnessed Sergeant Corbett provide Inmate Lagarde the opportunity to exit the cell voluntarily, however Inmate Lagrade refused to

comply. Deputy Newhouse added Inmate Lagarde refused to comply with the chaplain also. Deputy Newhouse stated Inmate Lagarde's behavior was aggressive, loud and vulgar. Deputy Newhouse stated Inmate Lagarde's behavior indicated he was prepared to fight against deputies.

Deputy Newhouse stated when the extraction began he heard Sergeant Corbett directing the deployment of oleoresin capsicum spray and a sting ball grenade. Deputy Newhouse could not see the actual deployment of these weapons from where he was standing inside Module 1750. Deputy Newhouse stated smoke and oleoresin capsicum spray spread throughout the module and into adjoining areas. Deputy Newhouse stated he was affected by the chemical agents and his vision was obscured by the smoke. Deputy Newhouse stated he observed the extraction team placing Inmate Lagarde onto the safety chair. Deputy Newhouse stated Inmate Lagarde was violently thrusting his hips upwards and was head butting and kicking at deputies as he was placed onto the safety chair. Deputy Newhouse stated deputies were attempting to hold inmate Lagarde's feet, legs and chest down, however they were having difficulty strapping him onto the safety chair.

At one point during the incident, Deputy Newhouse heard a deputy cry out he was being bitten. He said the deputy's voice was strained as he cried out. Deputy Newhouse could not identify what deputy was bitten. Deputy Newhouse also heard a deputy call for the use of a Taser. Deputy Newhouse, who was equipped with a Taser, gave his Taser to an unknown deputy who was involved in the struggle with Inmate Lagarde. Deputy Newhouse could not remember who he provided the Taser to. Deputy Newhouse explained the Taser was never returned directly to him, but returned to Module 1700-1750 at a later time. Deputy Newhouse could not determine if the information from the Taser he was eventually downloaded or how or who returned it to Module 1700-1750. Deputy Newhouse stated the use of a Taser finally affected Inmate Lagarde after it was used against him 3-4 times.

Deputy Newhouse said he observed an unknown deputy deliver several elbow strikes to Inmate Lagarde's face. Deputy Newhouse stated he could not identify the extraction team members because they were wearing issued helmets, gas masks and vests. At the time of the cell extraction, Deputy Newhouse was not wearing any issued safety equipment and was wearing a Class "A" uniform. During the interview, Deputy Newhouse was allowed to watch several video recordings depicting the cell extraction process of Inmate Lagarde. While he watched the videos, Deputy Newhouse told Sergeants Ingreso and Ladjevic he was standing behind the deputy video recording the incident and was approximately 15 feet away from the safety chair at the time

Deputy Newhouse documented his actions and observations in a supplemental report under file #913-00004-5100-057, **see Exhibit Q**.

Deputy Zachary Lujan was interviewed on September 5, 2013, at 1105 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and

transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Deputy Lujan is currently assigned to the Men's Central Jail. Deputy Lujan was advised of his right to representation prior to the interview. Deputy Lujan was represented by Attorney Leslie Wilcox from the law firm of Green & Shinee.

Deputy Lujan stated on January 2, 2013, he was assigned to the Men's Central Jail as the Module 1750 deputy and assigned to the "Green" Extraction Team as a video deputy. Deputy Lujan stated Sergeant Corbett was his extraction team leader. Deputy Lujan described Module 1750 during his interview. He stated Module 1750 is comprised of single person cells that are subject to one half hour security checks. He stated Module 1750 houses inmates that are members of the "Mexican Mafia", the "Nazi Low Riders" and inmates who are considered violent. Deputy Lujan stated inmates housed in 1750 are under deputy escort at all times and must be handcuffed prior to exiting the cells.

Deputy Lujan stated the "Green" Extraction Team was assigned to extract Inmate Jacob Lagarde from Module 1750, cell Denver 2. Deputy Lujan stated prior to the cell extraction, his duties as the "video deputy" were explained to him. Deputy Lujan video recorded Sergeant Corbett speaking with Inmate Lagarde prior to the cell extraction taking place. Deputy Lujan stood at the threshold of the Denver Row, video recording Sergeant Corbett speaking with Inmate Lagarde who was inside cell Denver 2. Sergeant Corbett was attempting to persuade Inmate Lagarde to exit the cell voluntarily. Deputy Lujan said Inmate Lagarde never exited his cell voluntarily.

Deputy Lujan stated the Jail Mental Evaluation Team, a chaplain, Captain Ornelas and Commander Pietrantoni, each attempted to persuade Inmate Lagarde to exit the cell voluntarily prior to the extraction. Inmate Lagarde refused to cooperate with any these attempts and remained in the cell. Deputy Lujan video recorded the extraction of Inmate Lagarde. Deputy Lujan stated the extraction team was wearing helmets, gas masks and vests. Deputy Lujan heard the commands given to deploy both chemical agents and a sting ball grenade. Deputy Lujan assumed Sergeant Corbett issued those commands as he was the only supervisor on the row. After the cell gate was opened, Deputy Lujan heard the extraction team shouting "stop fighting, stop fighting" to Inmate Lagarde.

After Inmate Lagarde was removed from the cell, Deputy Lujan stated the extraction team placed Inmate Lagarde onto a safety chair located in the hallway near Denver row. As the extraction team did this, Deputy Lujan heard the extraction team shouting commands to Inmate Lagarde. Deputy Lujan heard deputies warning each other Inmate Lagarde was biting. Deputy Lujan stated he believed Inmate Lagarde was resisting efforts to place him onto the safety chair. Deputy Lujan said once Inmate Lagarde was secured into the safety chair he received medical treatment by medical staff inside Module 1750.

During the interview, Deputy Lujan was allowed to watch several video recordings depicting the cell extraction process of Inmate Lagarde. After watching the video

recordings, Deputy Lujan stated the he was the deputy who recorded the videos he watched. He added while video recording, the camera malfunctioned and produced a very blurry picture. Deputy Lujan was forced to hold the video camera at an awkward angle in order to produce a clear recognizable picture. Deputy Lujan also stated after viewing the video recordings he recognized Captain Ornelas and Commander Pietrantoni were both present during the incident. Deputy Lujan stated when he was video recording the cell extraction of Inmate Lagarde, he was attempting to film the event as a whole, rather than focus on individual actions or involvement. Deputy Lujan stated while he was a Custody Assistant he received training on the use of the video camera.

Deputy Lujan stated he was aware of Inmate Lagarde's prior violence against deputies. He stated while assigned to Module 1750, he learned inmate Lagarde had assaulted a female deputy at Wayside. He could not remember the exact facts of the assault but recalled the deputy sustaining major injuries at the hands of Inmate Lagarde.

Deputy Lujan documented his actions and observations in a supplemental report under file #913-00004-5100-057, **see Exhibit R**.

Deputy Wayne Sweeney was interviewed on September 5, 2013, at 1200 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Deputy Sweeney is currently assigned to the Men's Central Jail. Deputy Sweeney was advised of his right to representation prior to the interview. Deputy Sweeney was represented by Attorney Leslie Wilcox from the law firm of Green & Shinee.

Deputy Sweeney stated on January 2, 2013, he was assigned to the Men's Central Jail as a member of the Men's Central Jail Training Unit and to the "Green" Extraction Team as a video deputy. He stated he was issued a helmet, vest and a gas mask as a member of the extraction team. He stated his duties as a video deputy were to record the extraction as whole rather than capture individual actions or involvement. Deputy Sweeney said he attended a safety briefing inside the Men's Central Jail Watch Sergeant's office prior to the extraction of Inmate Lagarde.

Deputy Sweeney stated when the cell extraction began he was staged to the right of cell Denver 2. Deputy Sweeney was aware that chemical agents and a sting ball grenade had been deployed but did not know who ordered the deployment. Deputy Sweeney was allowed to watch several video recordings depicting the extraction of Inmate Lagarde and the related events. After watching the video recordings, Deputy Sweeney recognized himself in one of the video recordings. Deputy Sweeney stated he was relieved of his duties as a video deputy by Deputy Kane. Deputy Sweeney gave Deputy Kane the video camera who then continued to record. Deputy Sweeney stated he did not escort Inmate Lagarde to the clinic because he was a member of the extraction team and per policy was not allowed to participate in the escort. Deputy Sweeney stated after

surrendering the video camera to Deputy Kane he was unaware of where the video recording was placed. Deputy Sweeney stated he was able to properly operate the video camera during the cell extraction and attended a debriefing of the operation.

I.A.B. NOTE: On March 28, 2013 Sergeant Ingreso met with Sergeant Corbett at the Men's Central Jail. Sergeant Corbett provided Sergeant Ingreso with the video recordings that occurred on January 2, 2013 during the cell extraction of Inmate Lagarde. Sergeant Ingreso was unable to locate the footage video recorded by Deputy Sweeney amongst the several video recordings he received. **The video footage recorded by Deputy Sweeney was not located and was not submitted with this case book.**

Deputy Sweeney documented his actions and observations in a supplemental report under file #913-00004-5100-057, **see Exhibit S**.

Deputy Michael Fillpot was interviewed on September 6, 2013, at 1018 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Deputy Fillpot is currently assigned to the Men's Central Jail. Deputy Fillpot was advised of his right to representation prior to the interview. Deputy Fillpot was represented by Attorney Leslie Wilcox from the law firm of Green & Shinee.

Deputy Fillpot stated on January 2, 2013, he was assigned to the Men's Central Jail on the 4000 floor and to the Emergency Response Team. Deputy Fillpot stated he was assigned as the safety chair scribe. Deputy Fillpot stated his duties as the safety chair scribe were to document when an inmate was placed into the safety chair, and conduct safety checks of the inmate every 15 minutes and ensure he is breathing.

I.A.B. NOTE: A copy of the Safety Chair Inmate Security Check Log was submitted with this case book, **see Miscellaneous Documents**.

Deputy Fillpot stated he attended a briefing that was held in the hallway near 18 point. He was briefed Inmate Lagarde was being extracted because he would not cooperate and he "gassed" a deputy.

Deputy Fillpot stated when the cell extraction of Inmate Lagarde began, he was staged with the safety chair near an elevator slider. He did not observe the extraction team enter the cell or extract Inmate Lagarde. Deputy Fillpot stated he heard a Taser and a sting ball grenade being deployed during the cell extraction. Deputy Fillpot stated he felt the concussion of the sting ball grenade. Deputy Fillpot stated he observed Inmate Lagarde being placed into the safety chair. Deputy Fillpot said Inmate Lagarde was resisting the extraction team as they placed him onto the safety chair. Deputy Fillpot

stated he remembers hearing a deputy saying "He's biting, he's biting." He also heard the extraction team ordering Inmate Lagarde to stop fighting throughout the incident. Deputy Fillpot stated a spit mask was placed over Inmate Lagarde's head because he was spitting and biting at the extraction team. Deputy Fillpot stated he was unable to determine individual actions of deputies because of the number of persons involved in the incident. Deputy Fillpot stated he observed a deputy place his knee against Inmate Lagarde's thigh, in an effort to keep him restrained in the safety chair. Deputy Fillpot stated the extraction team was wearing helmets, gas masks and vests during the incident. Deputy Fillpot was not using any safety equipment and stated he felt the effects of chemical agents during the incident.

Deputy Fillpot stated after Inmate Lagarde was secured into the safety chair, he immediately received medical treatment inside Module 1750. Deputy Fillpot said Inmate Lagarde had blood on his face and was spitting through the spit mask. Deputy Fillpot could not recall the exact injuries to Inmate Lagarde's face. Deputy Fillpot escorted Inmate Lagarde to the Men's Central Jail clinic for additional medical treatment. Deputy Fillpot stated Inmate Lagarde did not resist any deputies while inside the jail clinic. Deputy Fillpot stated he did not use force against Inmate Lagarde at any time during the entire incident.

Deputy Fillpot documented his actions and observations in a supplemental report under file #913-00004-5100-057, **see Exhibit T**.

Deputy Cecilio Felix was interviewed on September 5, 2013, at 1045 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Deputy Felix is currently assigned to the Men's Central Jail. Deputy Felix was advised of his right to representation prior to the interview. Deputy Felix was represented by Attorney Leslie Wilcox from the law firm of Green & Shinee. On January 2, 2013 Deputy Felix was assigned to the Men's Central Jail as a Module 1700 Movement deputy.

I.A.B. NOTE: Deputy Felix witnessed the assault by "gassing" against Deputy Jason Rivera. Deputy Felix authored a criminal complaint report documenting the assaults against Deputy Jason Rivera and Deputy Mizrain Orrego under file #913-00004-5100-057, **see Exhibit T.**

Deputy Felix described modules 1700 and 1750 during his interview. He stated both modules housed inmates with a classification status of K-10. He stated the K-10 inmates have a propensity for violence against other inmates and jail staff. Deputy Felix stated there are security measures in place inside modules 1700 and 1750. He stated K-10 inmates are handcuffed prior to exiting the cells, and all K-10 inmates are escorted by deputies at all times. Deputy Felix stated K-10 inmates are not allowed out of their cell

without the presence of a deputy. Deputy Felix stated even when K-10 inmates are provided a shower they are escorted by deputy personnel.

Deputy Felix stated on January 2, 2013, at approximately 0740 hours, Deputy Jason Rivera was escorting K-10 inmates to and from the shower on Denver row of Module 1750. As Deputy Rivera escorted an inmate past Inmate Jacob Lagarde, who was housed in cell Denver 2, Inmate Lagarde extended one of his arms out of the cell gate holding a carton filled with liquid. Inmate Lagarde threw the carton containing the liquid onto Deputy Rivera's upper body and face. Deputy Rivera attempted to shield his ace with his arms however the liquid impacted his face and uniform shirt. Deputy Felix heard Inmate Lagarde shout, "That's what you get motherfucker," to Deputy Rivera after dousing him.

Deputy Felix ordered the inmate being escorted into the shower and then assisted Deputy Rivera. Deputy Felix stated he remained inside the security of the module booth as he ordered the inmate into the shower using the public address system. Deputy Felix stated Deputy Rivera was blinking his eyes and spitting as if trying to expel the liquid from his mouth. Deputy Rivera was also rubbing his eyes as if the liquid was bothering him. Deputy Felix said the liquid smelled of urine. Deputy Felix gave Deputy Rivera towels to wipe his face and notified Sergeant James Jordan of the incident.

Deputy Felix stated Deputy Rivera did not at any time return to cell Denver #2 to confront Inmate Lagarde and did not participate in the cell extraction. Deputy Felix stated Deputy Rivera was transported to White Memorial Hospital for medical treatment. Deputy Felix stated Inmate Lagarde was eventually extracted from the cell. Deputy Felix stated during the cell extraction, Deputy Orrego was injured by Inmate Lagarde. Deputy Felix stated Inmate Lagarde bit Deputy Orrego and "bent" his right pinky finger.

Deputy Felix stated prior to the extraction, a sergeant saw an inmate pass Inmate Lagarde a note. The note was recovered and its contents revealed Inmate Lagarde was planning to injure or assault another deputy. Deputy Felix based this belief upon his five years of experience as a jail deputy at the Men's Central Jail. The note was recovered, retained as evidence and documented in Deputy Felix's report, **see Exhibit T**.

Deputy Jason Rivera was interviewed on September 5, 2013, at 1019 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Deputy Rivera is currently assigned to the Men's Central Jail. Deputy Rivera was advised of his right to representation prior to the interview. Deputy Rivera was represented by Attorney Leslie Wilcox from the law firm of Green & Shinee.

On January 2, 2013 Deputy Rivera was assigned to the Men's Central Jail as a Module 1700-1750 movement deputy. Deputy Rivera described modules 1700 and 1750 during

his interview. He stated both modules housed inmates with a classification status of K-10. He stated the K-10 inmates have a propensity for violence against other inmates and jail staff. Deputy Rivera stated there are security measures in place inside modules 1700 and 1750. He stated K-10 inmates are handcuffed prior to exiting the cells, and all K-10 inmates are escorted by deputies at all times.

Deputy Rivera stated on January 2, 2013, at 0740 hours, he was escorting an inmate to the shower on Denver row. As he walked past Inmate Lagarde, who was housed in cell Denver 2, he was assaulted. Deputy Rivera stated Inmate Lagarde threw an orange juice carton filled with a liquid onto his face and upper body. Deputy Rivera believed the liquid was human urine and described it as "disgusting." Deputy Rivera said once the inmate he had been escorting was secured in the shower, he rushed to a bathroom and began flushing his face and eyes with water. Deputy Rivera said before rushing to the bathroom, he held his breath and kept his head down believing this may prevent the liquid from actually entering his body. Deputy Rivera stated the only contact he had with Inmate Lagarde prior to the assault was when he asked him if he was going to shower. Inmate Lagarde declined the shower. Deputy Rivera did not feel the contact was negative in any way.

Deputy Rivera notified Sergeant James Jordan of the incident. Deputy Rivera stated he did not participate in the physical cell extraction of Inmate Lagarde. Deputy Rivera stated after being assaulted, he did not confront or approach Inmate Lagarde. Deputy Rivera stated he was prescribed medication to counter act the transmission of the Human Anti-Body Virus.

I.A.B. NOTE: Deputy Rivera could not recall the clinical name of the medication prescribed to him.

Deputy Rivera stated he must also be subjected to a blood test to detect the presence of the Human Anti-Body Virus every three months. Deputy Rivera stated after the assault he was depressed and concerned. He stated he was married and the father of three children, and was concerned about transmitting any diseases to his family. Deputy Rivera stated he still has concerns about being "gassed" again.

SUSPECT STATEMENTS:

On August 19, 2013, at approximately 1200 hours, Sergeants Romeo Ingreso and David Ladjevic attempted to interview Inmate Jacob Lagarde inside the Men's Central Jail. At this time Inmate Lagarde was classified as a K-10 inmate and housed in Module 1751, cell #G-7. Sergeants Ingreso and Ladjevic met with Sergeant Greg Taylor who was the 1750-1751 Floor Sergeant on August 19, 2013. Sergeants Ingreso and Ladjevic explained they wished to interview inmate Lagarde about the cell extraction on January 2, 2013. Sergeant Taylor was responsible for supervising the escort of Inmate Lagarde if he were to be removed from his cell. Sergeant Taylor told Sergeants Ingreso and Ladjevic Inmate Lagarde declined to participate in the interview or exit his assigned cell.

SUSPECT INJURIES:

Inmate Lagarde sustained a Zygomatic Arch fracture to his left eye, a comminuted nasal fracture, abrasions to his head and back, and a small laceration under his right eye during the cell extraction. Inmate Lagarde sustained bruising and abrasions about his back and chest. The abrasions on Inmate Lagarde's chest may have been caused by the "Y" strap used to secure him into the safety chair. Inmate Lagarde was treated at the Men's Central Jail by Doctor Pryor and brought to the Los Angeles County Medical Center for additional treatment under medical record number #6787801. After Inmate Lagarde was extracted from the cell he was video recorded as he received medical treatment for his injuries, **see Exhibits B and C.**

A DVD containing photographs of Inmate Lagarde's injuries was submitted with this case book, **see Exhibit V**. Printed photographs of Inmate Lagarde's injuries were submitted with this case book, **see Exhibit W.**

DEPUTY PERSONNEL INJURIES:

Deputy Jason Rivera was exposed to what was believed to be human urine at the time he was assaulted by Inmate Lagarde. He was transported to and treated at White Memorial Hospital for exposure to a biological substance. He was prescribed medication to counter the transmission of the Human Antibody Virus.

Deputy Jason Rivera was forced to undergo a blood examination to test for the presence of the Human Antibody Virus and has done so every three months since January 2, 2013. During Deputy Jason Rivera's recorded interview with Sergeants Romeo Ingreso and David Ladjevic he stated he has not tested positive for the presence of the Human Antibody Virus.

Deputy Mizrain Orrego sustained a sprain to his right "pinky" finger and bite impressions, swelling and bruising to his right wrist, his left wrist and his right elbow. Deputy Orrego was transported to and treated at the Temple Medical Center for exposure to a biological substance. He was prescribed medication to counter the transmission of the Human Antibody Virus. Deputy Orrego ingested the medication as prescribed and experienced side effects. Deputy Orrego could not report for duty for approximately one week due to experiencing dizziness, nausea and diarrhea.

A DVD containing photographs of Deputy Orrego's injuries was submitted with this case book, **see Exhibit X**. Printed photographs of Deputy Orrego's injuries were submitted with this case book, **see Exhibit Y.**

PHYSICAL EVIDENCE:

The entire process of this calculated cell extraction was video recorded. These video recordings were submitted with this case book, **see Exhibit B**.

INVESTIGATOR'S OBSERVATIONS:

On October 11, 2013, Sergeant Ingreso inspected the site of the cell extraction. He photographed Denver Row, the wall mounted surveillance camera and the common area adjoining the row. He also photographed the same safety chair used during the extraction of Inmate Lagarde. Sergeant Ingreso photographed the safety chair near the same position it was on January 2, 2012, as it was placed in the adjoining common area near Denver row. Sergeant Brendan Corbett accompanied Sergeant Ingreso and placed the safety chair into the position it was as it was used on January 2, 2013.

A DVD containing photographs of the safety chair and the common area adjoining Denver row were submitted with this casebook, **see Exhibit Z.** Photographs of the safety chair and the common area adjoining Denver row were submitted with this casebook, **see Exhibit AA.**

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy [redacted]	MK-46 Oleoresin Capsicum Spray
Deputy [redacted]	Extraction shield deployment and personal weapons
Deputy [redacted]	Control Holds
Deputy [redacted]	Taser Application and control holds
Deputy [redacted]	Control Holds
Deputy [redacted]	Taser Application and control holds
Deputy [redacted]	Sting Ball Deployment and Hobble Restraint application
Deputy [redacted]	Control Holds
Deputy Orrego:	Personal Weapons

WEAPONS USED BY SUSPECT:

Inmate Lagarde doused Deputy Jason Rivera with a liquid believed to be urine at the time of the assault. This belief was based upon the liquids strong odor of urine and color. Inmate Lagarde also kicked at deputies and bit Deputy Orrego using his teeth.

I.A.B. NOTE: On October 3, 2013, Sergeant Liz Duncan, assigned to the Custody Investigative Services Unit, emailed Sergeant Ingreso and informed him analysis of Deputy Jason Rivera's uniform shirt did not reveal the presence any gassing material, **see Miscellaneous Documents**.

VIDEO REVIEW AND DESCRIPTION

Exhibit A contains one DVD containing three video recording, labeled Video #1, Video #2 and Video #3. The following is a description each video and its contents:

Video #1: This video is 28 seconds long and was captured by a wall mounted surveillance camera on Denver Row. At :25 the video captures Inmate

Lagarde throwing a carton of liquid onto Deputy Jason Rivera's face and uniform shirt.

Video #2: This video is 1:45 long and was recorded by a hand held video camera. The video captures Sergeant Jordan attempting to gain compliance from Inmate Lagarde and providing him the opportunity to be handcuffed and exit the cell voluntarily. During the video, Inmate Lagarde refuses to comply and exit the cell.

Video #3: This video is 9:48 long and was recorded by a hand held video camera. The video captures several attempts by different sworn and civilian personnel to gain compliance from Inmate Lagarde by providing him the opportunity to be handcuffed and exit the cell voluntarily. The following are significant events captured during the video:

:54 – Lieutenant Maldonado attempts to gain compliance
1:16 – Inmate Lagarde refuses to comply or be handcuffed
1:50 – Captain Ornelas speaks to Inmate Lagarde, attempts to gain compliance
2:00 – Inmate Lagarde refuses to comply or be handcuffed
3:08 – Inmate Lagarde says, "Come and get me" defiantly.
3:53 – Danny Redmond from the Jail Mental Evaluation Team speaks with Inmate Lagarde
7:42 – Doctor Pryor speaks with Inmate Lagarde
8:30 – A catholic chaplain speaks with Inmate Lagarde

Exhibit B contains two (2) DVD's labeled Disk #1 and Disk #2. The following is a description of each DVD and its contents:

Exhibit B, Disk #1:

Video #1: This video is 1:17 long and contains unrecognizable video footage, however captures audio of Sergeant Corbett attempting to gain compliance from Inmate Lagarde prior to the cell extraction.

Video #2: This video is 10:17 long and captures the safety briefing led by Sergeant's Corbett and Jordan prior to the cell extraction.

Video #3: This video is 8:45 long captures the cell extraction as recorded by the wall mounted surveillance camera on Denver Row. The video footage does not have accompanying audio. The following is a list of significant events depicted during the video:

:35 – Sergeant Corbett appears to speak with Inmate Lagarde
2:35 – Extraction team enters onto Denver Row
3:00 – Sergeant Corbett don's his gas mask

3:28 – Shields in place
3:36 – Mk-46 Oleoresin Capsicum spray deployed
3:57 – Sting Ball grenade deployed
4:06 – Cell gate opened and extraction team enters cell
6:21 – Inmate Lagarde is removed from cell

Video #4: This video is 50:35 seconds long and captures the cell extraction of Inmate Lagarde as video recorded by Deputy Lujan. Prior to the extraction, the video depicts Sergeant Corbett speaking with inmate Lagarde and attempting to gain compliance from him just prior to the start of the cell extraction. The following is a list of significant events depicted during the video:

:39 – MK-46 oleoresin capsicum spray deployed
:49 – Sergeant Corbett seeks compliance from Inmate Lagarde
1:01 – Sting Ball grenade is deployed and detonated
1:10 – Gate is opened and extraction team enters
3:26 – Inmate Lagarde is removed from cell onto Denver Row
4:08 – Inmate Lagarde is placed onto safety chair
4:27 – Extraction team members shouting "He's biting."
4:39 – Deputy Orrego punches Inmate Lagarde after being bitten
4:47 – Audio of a Taser being activated
6:32 – Commander Ornelas is depicted overseeing the incident
6:42 – Extraction team members ordering Inmate Lagarde to stop biting
7:05 – Sergeant Corbett directs a Taser deployment
7:25 – Audio of a Taser being activated
7:42 – Audio of a Taser being activated
9:02 – Video depicts a deputy handling a Taser with the probes attached to Inmate Lagarde
10:16 – Inmate Lagarde treated by medical personnel
11:54 – Sergeant Corbett orders extraction team not to participate in the medical escort
13:11 – Inmate Lagarde arrives at the Men's Central Jail medical clinic

Exhibit B, Disk #2:

Video #1: This video is 18:20 long and contains footage of the evacuation of Module 1750, Denver row prior to the cell extraction of Inmate Lagarde.

Exhibit C contains two (2) DVD's labeled Disk #1 and Disk #2. The following is a description of each DVD and its contents:

Exhibit C, Disk #1:

Video #1: This video is 7:47 long and contains footage of Inmate Lagarde initially wearing a "spit mask" and receiving medical treatment at the Men's Central Jail clinic.

Video #2: This video is 52:00 long and contains footage of Inmate Lagarde receiving medical treatment at the Los Angeles County Medical Center. During the video, Inmate Lagarde was wearing a "spit mask" as he lay in a hospital bed. At 24:00 seconds of the video, deputy personnel remove the spit mask from Inmate Lagarde.

Video #3: This video is 3:22 seconds long. The video contains footage as Inmate Lagarde lies in a hospital bed at the Los Angeles County Medical Center. During the video Inmate Lagarde was not wearing a "spit mask."

Exhibit C, Disk #2:

Video #1: This video is 52:24 seconds long. The video contains footage of Inmate Lagarde undergoing medical exams while wearing a "spit mask." At 13:28 of the video, Inmate Lagarde is escorted is escorted from an X-ray room to a safety chair. During the escort Inmate Lagarde is wearing a "spit mask" is handcuffed to the front and assisted by sworn personnel.

Video #2: This video is 51:28 seconds long and contains footage of Inmate Lagarde being transported to the Los Angeles County Medical Center. At 22:30 of the video Inmate Lagarde is transferred from the safety chair to a gurney where he is attended to by paramedics. At 28:30 of the video Inmate Lagarde is placed into an ambulance by paramedics and monitored by three uniformed deputies.

PROPERTY DAMAGE:

There was no property damage sustained during the cell extraction.

PETITONS FILED AND DISPOSITIONS:

Inmate Lagarde was charged with Assault with Force Likely to Produce Great Bodily Injury, 245(a)(4) PC and Battery Upon a Peace Officer, 243(c)(2) PC as a result of the incident on September 30, 2013. A copy of the P.I.M.S. system inquiry Defendant Charge sheet was submitted with this casebook, see **Exhibit D.**

WEATHER AND LIGHTING CONDITIONS:

The extraction took place at the Men's Central Jail inside Module 1750 Denver Row. This area of the jail has no windows and is illuminated by artificial light from ceiling mounted light housings. The common area adjoining Denver Row is not illuminated by artificial light. The light housing above are purposely kept off so that deputy personnel may look through the windows of Denver row and monitor inmate activity.

On October 11, 2013, Sergeant Ingreso photographed Denver row and the common area adjoining the row. These photographs were submitted with this casebook, **see Exhibit AA.**

On January 2, 2013 this area of Module 1750 was free from natural weather conditions and was dry at the time. The interior and floor of the cell #2 became slick to the touch due to the presence of oleoresin capsicum spray. A DVD containing photographs of Denver Row and the interior of cell Denver #2 were submitted with this case book, **see Exhibit BB**. Printed photographs of Denver row and the interior of cell Denver #2 were also submitted with this case book, **see Exhibit CC**.

MISCELLANEOUS:

Admonition Forms
Video Admonishment Forms
Printed Criminal History of Inmate Jacob Lagarde
A copy of the Medical Information Request form approved by Men's Central Jail medical supervisor Gloria King.
Medical Information and records for Inmate Jacob Lagarde
Inmate Injury report documenting Inmate Lagarde's injuries.
Behavioral Observation and Mental Health Referral
Safety Chair Inmate Security Check Log
Memorandum submitted by Captain Ault
In-Service dated January 2, 2013
Printed usage history report for Taser #X00-314216, Model X-26.
Printed usage history report for Taser #X00-314222, Model X-26.
Extraction Checklist Form
Internal Affairs Bureau Mandatory Notification Form